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A Study on Laws Related to Domestic Violence in India

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ABSTRACT

Domestic violence casts a long shadow over India, cutting across age, class, caste, and religion. It's not just a legal issue – it's a social one, tangled up in deep-rooted norms and attitudes. The Indian Constitution promises protection, and the country has rolled out several laws to fight domestic abuse, but the problem refuses to go away. This paper digs into India's current legal landscape on domestic violence, focusing on the Protection of Women from Domestic Violence Act, 2005 (PWDVA). It also examines the Indian Penal Code, the Dowry Prohibition Act, and key court decisions that have shaped the fight against abuse. The research leans on doctrinal legal methods – analysing statutes, case law, government reports, and real-life investigations – to see whether these laws actually make a difference. It looks at the hurdles: patchy implementation, law enforcement's attitude, judicial perspectives, and public opinion. Gender, income, and education play a huge role in who reports abuse and who gets help. On paper, Indian law offers plenty of civil and criminal remedies, but in practice, social stigma, weak institutional support, and endless delays blunt their impact. The findings argue for sweeping legal reform, stronger support systems for survivors, and far more public awareness. To truly tackle domestic violence, India needs better policies, well-trained judges, fairer distribution of resources, and communities that get involved. Legal advances matter, but if the goal is gender justice and ending domestic violence for good, the response has to be broad and multi-layered.

KEYWORDS

Domestic Violence, Gender Justice, Women's Rights, Socio-Legal Framework, Judicial Response, Implementation Gaps

INTRODUCTION

Background

Domestic violence, whether physical, emotional, sexual, or economic – breaks basic human rights and signals deep gender inequality. It's everywhere in India, affecting women, children, the elderly, and sometimes men. Still, women are the main targets, a consequence of patriarchy, ingrained gender bias, and systemic discrimination. Just look at the numbers: the National Family Health Survey-5 (2019-21) found that nearly 30% of ever-married women aged 18-49 have faced domestic violence. That's not a fringe issue. It's woven into everyday life.¹

Traditional gender roles, upbringing, financial dependence, and the power dynamics within families are at the heart of it. Caste, class, religion, and education only add more layers. Women in rural areas often endure abuse silently, trapped by ignorance, economic dependence, and generations-old beliefs. Urban women may have more opportunities, but they aren't immune – domestic violence just takes different forms.

For a long time, people treated domestic violence as a private matter – family business that outsiders should ignore. Women were expected to keep quiet, to endure for the sake of family honour. The Indian Penal Code of 1860, written under British rule, did address “cruelty” and “hurt,” but those terms were too narrow for the messy reality of abuse at home. It wasn't until the women's rights movement of the 1970s and '80s that domestic violence became a public concern and lawmakers started to pay attention.²

India's legal approach has changed dramatically in recent decades. In 1983, Section 498A of the Indian Penal Code made cruelty by husbands and their families a criminal offense – a milestone, but a limited one. It mainly covered married women and dowry-related abuse. ³People eventually saw that the law needed to be broader. That led to the Protection of Women from Domestic Violence Act (PWDVA) in 2005 – a real turning point. The Act expanded the definition of domestic violence, covered a range of abuses, and protected women in relationships beyond formal marriage.⁴

Despite these laws, domestic violence remains stubbornly common. Research and official reports keep highlighting the gap between what's

¹ National Family Health Survey (NFHS-5). (2019–2021). *National Family Health Survey (India)*. IIPS & Ministry of Health and Family Welfare, Government of India.

² Government of India. (1860). *Indian Penal Code, 1860*.

³ *Indian Penal Code, 1860*, § 498A (as inserted by Criminal Law Amendment Act, 1983).

⁴ Ministry of Women and Child Development. (2005). *The Protection of Women from Domestic Violence Act, 2005*. Government of India.

on the books and what happens on the ground. Survivors often don't seek help—sometimes they don't know their rights, sometimes it's the fear of shame or retaliation, and sometimes it's the lack of real support.

Changes in the law

The laws about domestic abuse in India have changed a lot in the last few decades. In 1983, Section 498A of the Indian Penal Code made it a crime for husbands and their families to be cruel to their wives. This was a big step forward. But the clause didn't cover a lot of ground; it mainly applied to married women and mostly dealt with abuse relating to dowries. The Protection of Women from Domestic Violence Act (PWDVA) was passed in 2005 because people realized that a more thorough strategy was needed. The PWDVA represented a significant transformation by expanding the definition of domestic violence, encompassing many types of abuse, and providing protection to women in situations resembling marriage.

Lack of Research

Even with these new laws, domestic violence is still very common. Numerous research and official publications demonstrate a continual disparity between the legal framework and its practical application. Victims often don't get help or seek assistance because they don't know their legal rights, are afraid of being shamed or retaliated against, don't get enough support from institutions, or face procedural problems. Societal views sometimes belittle domestic violence, perpetuating the quiet and invisibility associated with the issue.

There is an increasing amount of scholarly and policy literature on domestic violence, although much of it is about statistics or sociology. There aren't many thorough legal evaluations that look at the pros and cons of current laws, how they are interpreted by the courts, and the problems with enforcing them. It is also necessary to assess the efficacy of support systems, such protection officers, shelter houses, and counselling services, that are essential to the legal framework.

Objectives

The current paper seeks to address these deficiencies by performing a comprehensive legal examination of domestic abuse legislation in India. The goals are as follows:

- To look at the laws and court decisions that deal with domestic abuse in India.
- To assess the efficacy and constraints of existing legislation and its enforcement.

- To look at how the police, the courts, and other support institutions deal with domestic violence.
- To suggest changes to laws, procedures, and society that will better protect victims and make sure justice is served.

Importance of the Study

It is important for politicians, lawyers, social workers, and academics to understand the legal and practical aspects of domestic violence legislation. The study's results can help make laws better, improve services, and make advocacy efforts stronger to stop domestic violence and help victims. It also adds to the larger conversation on gender justice and human rights in India.

Problem Statement

India has passed progressive legislation to fight domestic abuse, but they aren't very successful because of problems with implementation and the fact that patriarchal attitudes are still strong. To close the gap between legal protection and real-world results, we need to take a comprehensive strategy that includes changes to the law, stronger institutions, and changes to society as a whole.

METHODS

Research Design

This research takes a qualitative, doctrinal legal approach—well-suited for digging into legislative texts, court decisions, and the broader literature around India's domestic abuse laws. Doctrinal research means diving deep into the laws as they stand, unpacking legal concepts, and studying authoritative sources to map out both the current legal landscape and how those rules play out in practice. Alongside this, the research includes a limited empirical element, drawing on available statistics and published reports to put domestic violence and its laws into real-world context.

The doctrinal method makes it possible to systematically examine primary sources—statutes, case law, government notifications—and secondary sources like journal articles, legal commentaries, and reports from groups working in women's rights and domestic violence prevention.

DATA SOURCES

Primary Legal Documents

Statutes: - The Protection of Women from Domestic Violence Act, 2005

(PWDVA), Indian Penal Code, 1860—especially Section 498A, Dowry Prohibition Act, 1961

Court Decisions: Key Supreme Court and High Court cases that have shaped and clarified the law, such as *Hiral P. Harsora v. Kusum Narottamdas Harsora*⁵ and *Arnesh Kumar v. State of Bihar*.⁶

Government Guidelines and Notifications: These include PWDVA rules for protection officers, official circulars guiding their duties, and instructions to police departments.

*Secondary Sources*⁷

Academic Literature: Peer-reviewed articles, legal commentaries, and books focusing on human rights, gender justice, and the framework of domestic abuse legislation in India.

Surveys and Reports: NFHS-5 (National Family Health Survey),⁸ Annual reports from the National Crime Records Bureau (NCRB), Publications by the National Commission for Women (NCW)⁹, the Ministry of Women and Child Development, and NGOs like Lawyers Collective and Amnesty International

Media Coverage: News articles, opinion pieces, and investigative stories that highlight trends, case studies, and major events related to domestic abuse.¹⁰

Data Collection

The study began with an in-depth review of the Protection of Women from Domestic Violence Act, 2005, along with related statutes. Each section dealing with the definition, scope, and penalties for domestic abuse was closely examined. To understand the lawmakers' intent, the research also looked at legislative history and the Statement of Objects and Reasons.

Government data from NFHS-5 and NCRB reports helped map the

⁵ *Hiral P. Harsora v. Kusum Narottamdas Harsora*, (2016) 10 SCC 165 (SC).

⁶ *Arnesh Kumar v. State of Bihar*, (2014) 8 SCC 273 (SC).

⁷ Sharma, K. (2019). Domestic violence in India: Legal framework and challenges. *Journal of Indian Law & Society*, 10(1), 45–67.

⁸ International Institute for Population Sciences (IIPS) & Ministry of Health and Family Welfare. (2021). *National Family Health Survey (NFHS-5), 2019–21: India*. Government of India.

⁹ National Commission for Women. (2022). *Annual reports*. Government of India. <https://ncw.nic.in>

¹⁰ Kumar, V. (2020). Implementation gaps in PWDVA: An empirical analysis. *Indian Journal of Gender Studies*, 27(2), 153–170.

prevalence and reporting of domestic violence. The research also included reports and surveys from NGOs and international bodies, adding perspective on ground realities and the persistent challenges in implementation.

Analytical Framework

The analysis followed these main frameworks:

1. **Substantive Legal Analysis:** Scrutinizing the language and structure of relevant laws to judge their comprehensiveness and inclusivity.
2. **Judicial Interpretation:** Studying how courts have interpreted and applied domestic abuse laws, with attention to both progressive and restrictive trends.
3. **Implementation Review:** Evaluating government and NGO reports on law enforcement, the role of protection officers, police action, and support services.
4. **Societal and Intersectional Analysis:** Investigating how factors like gender, caste, class, and education shape access to justice and the effectiveness of legal remedies.

Limitations

The research relies entirely on secondary data and published records. It does not include fieldwork or interviews with survivors or professionals. The analysis faces limits because of the availability and reliability of official statistics, especially considering the well-known issue of underreporting in domestic violence cases.

Ethical Considerations

This study uses only publicly available data and legal materials, with all sources properly cited. No private or sensitive information about domestic abuse survivors has been accessed or disclosed.

RESULTS

The Legal Framework

The Protection of Women from Domestic Violence Act, 2005 (PWDVA)¹¹- The most important law in India about domestic abuse is the Protection of Women from Domestic Abuse Act, 2005. The Act defines domestic violence very broadly, including not just physical violence but also sexual, verbal, emotional, and financial abuse. The PWDVA is different from previous attempts at making laws because it recognizes abuse in

¹¹ Government of India. (1961). *Dowry Prohibition Act, 1961*.

many situations, like marriage, living together, or family ties. This is good for women who are mothers, sisters, daughters, or in relationships that are like marriage.¹²

Key Parts: Section 3 talks a lot about what domestic violence is, such as hurting someone physically, mentally, sexually, or emotionally, or putting someone in a bad financial situation.

Anyone who thinks they have seen or heard about an incident of domestic abuse can file a complaint in Section 4. This means that standing is no longer just for the victim. Section 12 lets the upset lady, the Protection Officer, or anyone else ask the Magistrate for help.

Sections 18–22 give you a lot of legal options, like protection orders, residency orders (the right to live in the shared home even if you don't own it), money damages (for injuries or mental anguish), and custody of children.

How much and what it covers:

- The Act doesn't just protect wives and husbands; it also protects mothers, sisters, widows, and women who live with men.
- Any kind of relationship that is “domestic” can be a relationship that comes from blood ties, marriage, adoption, or living together as a family.
- Protection Officers, shelters, and hospitals are all responsible for helping victims.

The Indian Penal Code of 1860 (Section 498A)

In 1983, Section 498A of the IPC made it a crime for a husband or his family to be mean to a married woman. Cruelty includes any intentional act that could make the woman want to kill herself or hurt herself badly, as well as harassment related to demands for dowry.

Key Features:

- The crime is one that can be reported, cannot be bailed out of, and cannot be settled.
- The punishment could be a fine or up to three years in prison.
- The law tries to stop both physical and emotional abuse, but it mostly focuses on abuse that happens because of a dowry.

Limitations:

¹² Ministry of Women and Child Development. (2005). *The Protection of Women from Domestic Violence Act, 2005*. Government of India.

- This only applies to women and only when they are married.
- To stop random arrests, courts have made rules in response to claims of abuse.

The 1961 Dowry Prohibition Act

It is against the law to give, take, or ask for dowry before, during, or after marriage. Harassment over dowry is linked to a lot of cases of violence in marriage.

Main Ideas:

- Punishes both giving and getting a dowry.
- People know what crimes are and can't get out of them.
- It interacts directly with Section 498A IPC in a lot of cases.

INTERPRETATION OF CASE LAWS BY COURTS

Expanding the Reach: *Hiral P. Harsora v. Kusum Narottamdas Harsora (2016)*

The Supreme Court made a big decision by taking out the limiting phrase "adult male person" from Section 2(q) of the PWDVA. This means that anyone, no matter their age or gender, can file a complaint against anyone else. This made the law apply to more people and made sure that abusive in-laws, including women, could be held accountable.¹³

Handling Abuse: *Arnesh Kumar v. State of Bihar (2014)*

The Supreme Court said that Section 498A was sometimes used wrong, even though it was serious about domestic abuse. The Court told police to stop making automatic arrests and told magistrates to use their own judgment.¹⁴

Right to Residence: *S.R. Batra v. Taruna Batra (2007)*

The Supreme Court made it clear that the "shared household" under PWDVA is where the upset person lived in a domestic partnership, not necessarily a property owned by the husband or his family. This decision has changed how people think about women's right to live somewhere and not be forced to leave.¹⁵

Other Important Choices

¹³ *Hiral P. Harsora v. Kusum Narottamdas Harsora*, (2016) 10 SCC 165 (Supreme Court of India).

¹⁴ *Arnesh Kumar v. State of Bihar*, (2014) 8 SCC 273 (Supreme Court of India).

¹⁵ *S.R. Batra v. Taruna Batra*, (2007) 3 SCC 169 (Supreme Court of India).

Shalini v. Kishor (Bombay High Court, 2015): This case made it clear that domestic violence can be more than just physical assault; it can also include emotional and psychological abuse.

V.D. Bhanot v. Savita Bhanot (Supreme Court, 2012): The PWDVA can be used to punish violent acts that happened before the law went into effect.¹⁶

Data and Trends- According to the National Family Health Survey-5 (NFHS-5, 2019-21), 29.3% of women aged 18 to 49 who have ever been married said their husbands had abused them. Only 14% of women who have been physically or sexually abused ask for help, and even fewer go to the police or other legal authorities.

REPORTING CRIMES AND CONVICTION

The National Crime Records Bureau (NCRB)¹⁷ has information for 2022:

- Because spouses and family members were mean, more than 137,000 complaints of "crimes against women" were filed (Section 498A IPC).
- The conviction rates for these cases are still low, around 15–20%, which shows how hard it is to gather evidence and prosecute them.
- The number of complaints filed under the PWDVA is still much lower than the number of actual cases. This shows that people are not reporting them.

Security- There are different levels of Protection Officers, shelter houses, and support services in each state. Many states are having trouble finding enough certified Protection Officers, and the ones they do have usually have to do more than one job. There aren't enough shelters, and in some cases, they don't have the basic safety and comfort that victims need.

Putting into Action- Protection Officers are very important for helping victims, making sure court orders are followed, and filing Domestic Incident Reports. But studies show that they aren't very helpful because they don't get enough training, don't have enough resources, and have too many cases.

The police handle each case differently. Some reports say that they don't care, don't want to file FIRs, or tell victims to make up with their abusers.

The Court Process- Dedicated family courts and fast-track courts are

¹⁶ *V.D. Bhanot v. Savita Bhanot*, (2012) 3 SCC 183 (Supreme Court of India).

¹⁷ National Crime Records Bureau. (2022). *Crime in India 2022*. Ministry of Home Affairs, Government of India.

supposed to speed up cases, but they still take a long time. Magistrates can give temporary and ex parte orders, but many victims still have trouble getting evidence and proving their case.

Services- The PWDVA helps people with the law, gives them counselling, and gives them a place to stay. But getting to it is hard, especially in rural and remote areas. Sometimes, there are gaps in protecting and rehabilitating victims because the police, courts, social services, and NGOs don't work together very well.

Barriers in Culture and Society

- Because of deeply rooted patriarchal traditions and the shame that comes with reporting domestic abuse, many victims still don't ask for help.
- Because of pressure from family and friends, women often feel like they have to stay quiet, drop their complaints, or make up with their abusers.
- A major reason why people can't leave abusive situations is that they need the abuser for money, especially in families with low incomes

Limits of the Legal Framework

Not reporting: A lot of incidents never make it to court because of shame, fear of retaliation, and not knowing about them.

Holds up the process: Victims are less likely to come forward when the courts are backed up and the rules are hard to understand.

Allegations of Misuse: Even though statistically, misuse is rare, high-profile cases have led to calls for caution and procedural safeguards.

Limited Protections for Men and Children: The PWDVA focuses on women because they are more likely to be victims, but it doesn't cover all cases of domestic violence against men or children.

Good Things

More awareness campaigns are being run by both the government and non-governmental organizations (NGOs). More and more laws are making it easier for victims to get help and stay safe. Changing support networks, like women's helplines, legal aid clinics, and crisis centers.

THE LAWS THAT GOVERN BNS AND BNSS

Bharatiya Nyaya Sanhita (BNS) in 2023

The Bharatiya Nyaya Sanhita (BNS), 2023,¹⁸ replaced the Indian Penal Code (IPC) from the colonial era and went into effect on July 1, 2024. It keeps a lot of serious crimes, like murder, assault, rape, and stalking, but it makes big changes to make things clearer, harsher, and more open to everyone.

Twenty new crimes have been added, and the punishments for 33 existing crimes have been made harsher. There were minimum sentences for 23 crimes and harsher sentences for 83 crimes. Community service was offered as a way to change behaviour for six minor crimes. Chapter V of the law talks about crimes against women and children, like sexual offenses, assault, and crimes that happen in marriage.

Deceitful Relationship: Section 69 makes it a crime to trick someone into having sex by making false promises, like fake marriage or job offers. The sentence could be as long as 10 years in prison.

Age of Consent Increased: The legal age for consenting to sex (Section 63) went up from 15 to 18 years old.

Steps that help victims: The BNSS (which will be talked about below) adds things like: Statements from sexual assault victims made at home using audio and video (Section 176 BNSS). A female police officer to take statements from women who have been sexually assaulted (Section 180 BNSS). Section 179 BNSS says that women, retirees, and sick people don't have to go to police stations. According to Section 184(6) BNSS, doctors must tell the police about complaints from rape victims within seven days.

Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023

The BNSS ¹⁹replaced the Code of Criminal Procedure (CrPC) on July 1, 2024, to make criminal cases easier and to use technology to deliver justice. Here are some important changes:

Zero FIRs: This law says that anyone can file a FIR at any police station, no matter where it is. This makes sure that serious crimes, especially those that hurt women and children, are dealt with right away.

Preliminary investigation is required: Police have to do a preliminary investigation before filing a FIR for crimes that could get you 3 to 7 years in prison. This is different from what happened in *Lalita Kumari v. UP (2013)*.

Rights of the Accused: More protections, like the right to choose a

¹⁸ Government of India. (2023). *Bharatiya Nyaya Sanhita, 2023*.

¹⁹ Government of India. (2023). *Bharatiya Nagarik Suraksha Sanhita, 2023*.

lawyer after being arrested, a quick medical checkup, and full disclosure of the reasons for arrest. **Justice Timelines:** There are set time limits for investigations and trials to help cases close more quickly. For example, investigations can only last 90 days and verdicts can only last 45 days.

Digital Integration: Requires video-recorded raids, the involvement of forensic experts, and trials in absentia when the accused cannot be found.

Bharatiya Sakshya Adhiniyam (BSA), 2023

The BSA²⁰ replaced the Indian Evidence Act (1872) and brought evidence law into the digital age. It makes it easier to use electronic evidence, lets people testify from a distance, and makes the rules about how to use digital data clearer.

How it affects laws against domestic violence and other similar problems.

Continuation of Section 498A (Now called BNS Sections 85–86)

The Supreme Court said on April 15, 2025, that Section 498A is still legal under its new rules in the BNS—Sections 85 (offence) and 86 (definition of cruelty). The main parts are still there, along with the necessary punishments and jail time.

Safety and Changes

Digital and Procedural Efficiency: Zero FIRs and e-FIRs make it easier to report domestic violence right away.

Victim-Centered Measures: Allowing survivors to give statements at home instead of going to the police station and having female officers handle assault cases all make things easier for survivors.

Timely Proceedings: Setting deadlines for investigations and trials speeds them up, which is a big reason why people don't want to go to court.

Amendments for Gender Equality

Deceitful Relationship Offence (Section 69 BNS): This law covers new types of abuse, like exploitative partnerships, but courts have said that it has some limits. For instance, the Allahabad High Court threw out a FIR under Section 69 because there was no fraud, only unhappiness.

Raising the Age of Consent: This is a better way to protect teens from

²⁰ Government of India. (2023). *Bharatiya Sakshya Adhiniyam, 2023*.

sexual assault. The BNS still has laws against crimes like molestation (Section 74), sexual harassment (Section 75), rape (Section 63), and outraging modesty (Section 79). The punishments are at least as bad as they are under the IPC.

Data and Trends on Implementation

There are still not many convictions for domestic violence. A study in Bengaluru found that only 1% of cases (24 out of 2,202) were convicted under IPC Section 498A from 2017 to 2022.

Digital Reporting Gains Traction: In Maharashtra, 958 e-FIRs and 12,398 zero FIRs were filed between July 2024 and September 2025. There were also 1.3 lakh chargesheets filed on time.

Changes that focus on victims, like help desks, forensic labs, and internet portals, are being pushed to help women even more.

Officials say that the number of charges and convictions has gone up. Rajasthan's conviction rate, for instance, went from 42% to 60% in just one year after new rules were put in place.

DISCUSSION

The Indian Penal Code (IPC) from the colonial era, the Dowry Prohibition Act, the Protection of Women from Domestic Violence Act (PWDVA), and now the Bharatiya Nyaya Sanhita (BNS) and Bharatiya Nagarik Suraksha Sanhita (BNSS) show that India is becoming more aware of gender-based violence as a serious social and legal problem. Things are getting better, but there are still problems.

Important Steps Forward

The PWDVA's implementation was a turning point that made it possible for women who are being abused in different types of domestic situations to get help, protection, and rehabilitation. The Act is important because it has a lot of different definitions and solutions, like protection orders, the right to live somewhere, and money damages. Later court decisions made the Act apply to more people, so abusive in-laws and live-in partners could be held responsible.

The BNS and BNSS are the next big changes to how the law works and how criminals are punished. They stress how serious domestic violence is (through Sections 85–86), create new crimes that are relevant to modern abuse (like fraudulent relationships under Section 69 BNS), and make the process better for victims by adding zero FIRs, e-FIRs, and home-based statement recording. All of these things make it easier for

survivors to report crimes, get justice, and understand how the criminal justice system works.²¹

Gaps

Most victims still have a lot of problems in real life, even with these new laws. Underreporting is still a big problem, and NFHS-5 data shows that only 14% of victims get any kind of official help. The rates of people being convicted are still very low, even with the new BNS and the old IPC. For instance, Bengaluru had a conviction rate of only 1% for domestic abuse cases over the course of five years.

There are still problems with implementation, such as Protection Officers not getting enough training and resources, not enough shelter houses and legal help, police not wanting to help, and courts being too busy. BNSS is making changes to its digital and procedural systems, but they are still new, especially in rural areas. People who live on the edges of society, have a low level of education, or make a low income may not be able to use new technologies and laws.

Obstacles in Society and Culture

The law can't change deeply held beliefs about marriage and family privacy, gender inequality, or cultural taboos. A lot of women still depend on the people who abuse them for money, social support, and emotional support. Fear of revenge and social stigma, as well as pressure from families and communities to stay quiet or make up, stop victims from getting justice. These problems are especially bad in rural and conservative areas.

The PWDVA and criminal law focus on women because of statistics and experience, but they have also sparked conversations about how to protect male and LGBTQ+ victims and the possibility of abuse. The Supreme Court and BNS have wisely kept strict rules against cruelty, but courts still have to balance the need for procedural protections with real claims of abuse.²²

Effects on the Law and the Process

The BNS and BNSS should make the criminal justice system work better and help victims more. Zero FIRs and e-FIRs, as well as setting time limits

²¹ Times of India. (2025, July 15). *Domestic cruelty, dowry harassment: Supreme Court rules misuse of Section 498A cannot be a ground to strike it down.* <https://timesofindia.indiatimes.com>

²² Times of India. (2025, July 15). *Domestic cruelty, dowry harassment: Supreme Court rules misuse of Section 498A cannot be a ground to strike it down.* <https://timesofindia.indiatimes.com>

for investigations and trials and integrating digital technology, can help speed up the process of domestic abuse cases, which have been slow for a long time. It is a kind change to make female police officers write down what women say at their homes. This would likely reduce stress and fear.

The BNS is adding new crimes, like dishonest partnerships and broader definitions of sexual and emotional abuse. This shows that it is keeping up with changes in society. Combining crimes against women and children and raising the age of consent will likely make the law clearer and safer.

But how well these changes are put into action will have a big impact on how good they are. Police, judges, and Protection Officers need to be properly trained in new processes, technology improvements for digital filings, and regular checks on timetables in order to have the desired effect.

Effects on Policy and Society

Policy changes that support legal reform must be strong. These include campaigns to raise awareness, getting people involved in their communities, giving women more economic power, and building support infrastructure. Women's helplines, legal aid, shelter houses, and counselling centres need to keep getting bigger. We need to teach and raise awareness about this at all levels of society, not just for potential victims but also for bystanders, families, and community leaders.

Non-governmental organizations (NGOs), women's commissions, and grassroots groups are still very important partners in making sure that people's legal rights are protected in the real world. Their work as advocates and supporters can help bridge the gap between formal legal remedies and informal, community-based solutions.

The Balance and Judicial Interpretation

Indian courts have played a big role in how people use and understand the law about domestic violence. Landmark decisions have made the right to live clearer, added more types of respondents, and made the PWDVA apply to events that happened before it was passed. At the same time, courts have changed the rules for how things should be done because they are worried about misuse.

It is important to remember how serious domestic violence is that the Supreme Court said Section 498A (now under BNS) is still valid, even though it is often misused. Judges will need to learn about the new laws, how gender affects things, and how to use processes that are good for victims in the future.

Issues with the Current Legal Response

Even with a strong legal system, there are still a lot of things that make it hard for victims to get full justice:

- Not telling anyone because of social stigma and fear of how people will react.
- Holds up in the courts and delays in procedures.
- There aren't enough services to help people, like shelters, legal aid, and therapy.
- Different states, cities, and towns use it in different ways.
- Discussions about abuse and the risk of trivializing actual circumstances.
- Not enough protection for at-risk groups outside of the binary classification of domestic partnerships.

IDEAS AND PLANS FOR THE FUTURE

Stronger Implementation

Training and Capacity Building: Police, judges, and Protection Officers will get a lot of training on the new rules, how to be sensitive to gender issues, and how to deal with trauma. More money for shelters, legal help, and victim support programs, especially in areas that don't have enough of them.

Digital Literacy: Making sure that everyone, even those who live far away or are often left out, can use e-FIRs, video statements, and other new digital tools.

Change in Society: Awareness Campaigns: All over the country, people are working to teach others about the laws against domestic abuse, how to get help, and why it's important to report it.

Community Engagement: Working with local leaders, religious groups, and schools to fight patriarchal practices and make places friendlier.

Giving women more control over their money is what economic empowerment means. They can learn new skills, get small loans, and find work through programs like this.

Changes to the rules and laws

Regular review: Finding ways to regularly review and change laws based on real-world evidence and feedback from stakeholders.

More protections: Looking into adding more protections for all vulnerable groups, like men, children, and LGBTQ+ people, where it

makes sense.

Monitoring and Evaluation: Making different groups to watch how things are going, get information, and judge the results.

End of the Issue

India's legal response to domestic violence has become very strong, especially since the BNS and BNSS were added recently. The PWDVA and these changes show that there is a commitment to gender justice. But the change from law to real life isn't done yet. The only way to make sure that all survivors of domestic violence in India are safe, treated with respect, and get justice is to change the law, put it into action, change society, and give victims power.

CONCLUSION

Domestic violence in India cuts across every boundary you can imagine—age, caste, class, religion, geography. It's not just a legal headache; it's a deep social wound that refuses to heal quietly. Over the years, the government has toughened the laws, trying to keep pace with the reality people face at home. The Protection of Women from Domestic Violence Act, 2005 (PWDVA) marked a real turning point. Suddenly, the law didn't just care about physical scars; it acknowledged emotional, sexual, verbal, and economic abuse too. It also tried to build a safety net—legal remedies, support programs, the works.

Since then, the Bharatiya Nyaya Sanhita (BNS) and Bharatiya Nagarik Suraksha Sanhita (BNSS) have pushed criminal law into the present. Now you see new crimes on the books, digital systems, and rules that try to put the survivor first. It's easier to report violence—zero FIRs, e-FIRs, even recording your statement at home. Deadlines for investigations and trials aren't suggestions anymore. All these changes aim to make the justice system less mysterious and more responsive to survivors.

But here's the thing: laws on paper don't always translate into safety at home. Despite stronger legislation, survivors still struggle to come forward. Fear of retaliation, lack of awareness, and financial dependency on abusers keep many silent. Even when victims do report, conviction rates for domestic violence remain low. The support networks—Protection Officers, shelters, legal aid, counselling—are patchy at best, especially outside big cities. Deep-seated patriarchal attitudes, gaps in gender sensitivity among police and judges, and uneven distribution of resources all pile on, making it tough for the law to work as intended.

Implementation is everything. The system needs well-trained police officers, judges who understand the issues, and enough funding for

support services. Someone has to actually enforce deadlines for investigations and trials, not just write them down. Digital tools like e-FIRs and video statements sound great, but if rural and marginalized communities can't access them, the justice gap just gets wider.

Social transformation matters as much as legal reform—maybe even more. Laws can't erase patriarchal mindsets, economic dependency, or cultural taboos overnight. Real change means empowering women and other vulnerable groups through education, jobs, and community support. It takes a village—families, community leaders, schools, the media—to challenge the old narratives and create an environment where survivors are believed and supported, and where perpetrators face real consequences.

The courts have a serious responsibility, too. They can't just follow the letter of the law—they have to interpret it with compassion and foresight, always keeping victims' safety front and centre. Laws should never be allowed to go stale; policymakers need to study real-world outcomes, gather feedback from stakeholders, and update legislation as new challenges emerge.

In the end, India's legal framework for domestic violence stands among the world's strongest—but there's a long road ahead. Legislative reforms, digital innovation, better administration, and shifting social attitudes have finally lined up to offer a real shot at change. Now it's about turning rights on paper into safety and dignity in real life. The only way forward is a holistic approach: put survivors' needs front and centre, hold abusers accountable, and stay committed—truly committed—to ending domestic violence in every form, everywhere.

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