



Live-in Relationships — How to Safeguard Your Interests



In India, the concept of live-in relationships has gained momentum over the years. Still, the lack of a robust legal framework leaves individuals vulnerable to numerous challenges. Many people who are in live-in relationships find themselves caught in legal battles due to the loopholes in existing laws.

The reasons can be many, like disputes between partners, kids' property and inheritance disputes, or false rape cases. In the absence of the right information, many people suffer due to their ignorance.

This blog sheds light on these legal gaps, the rights you must be aware of, and steps to protect yourself from unnecessary disputes.

The Legal Status of Live-in Relationships in India

While live-in relationships are not illegal in India, they fall into a grey area of law. The courts have recognized them as legal under Article 21 of the Constitution, granting individuals the

freedom to cohabit without marriage. However, these relationships are not governed by the same protections as marriages, leaving couples exposed to legal, financial, and social vulnerabilities.

Why Legal Loopholes Persist

India's laws are rooted in traditional values, and live-in relationships remain a modern concept. The absence of a defined legal framework creates ambiguity, leading to inconsistent judicial interpretations. The societal stigma further complicates matters, leaving individuals vulnerable to exploitation and denial of justice.

Common Legal Challenges Faced

1. No Framework for Property Rights

Unlike married couples, live-in partners cannot claim rights to each other's property in case of separation or disputes. This often leads to financial instability for one partner.

2. Limited Recourse for Maintenance

The Protection of Women from Domestic Violence Act, 2005, offers limited maintenance rights to women in relationships "akin to marriage." However, proving the nature of the relationship in court can be an uphill battle.

3. Child Custody and Inheritance Issues

Children born out of live-in relationships face uncertainty regarding inheritance rights, as legal clarity is often lacking.

4. Stigma and Social Prejudice

Despite legal recognition, societal biases often lead to denial of fundamental rights, including police protection and access to justice.

5. No Legal Recognition of Separation

Partners in a live-in relationship cannot divorce or formally separate, as the law only permits divorce for legally married couples.

How to Safeguard Your Rights

1. Legal Agreements

Draft a cohabitation agreement to define mutual obligations, financial arrangements, and property rights. This can prevent disputes in the future.

2. Know Your Rights Under the Domestic Violence Act

Women in abusive live-in relationships can seek protection and maintenance under this Act. Ensure the relationship meets the criteria defined under Section 2(f).

3. Ensure Documentation

Keep a record of joint financial transactions, shared investments, or property agreements to substantiate claims if legal issues arise.

4. Child Rights

In the case of children, consult a lawyer to ensure their inheritance and custody rights are safeguarded.

5. Seek Timely Legal Advice

Legal challenges in live-in relationships are often complex. Engaging an experienced lawyer early can help you settle disputes effectively.

How Family Kanoon Can Help

At Family Kanoon, we have a team of expert [matrimonial lawyers in Gurgaon](#). We understand the intricate challenges faced by individuals in live-in relationships. Our experienced team of legal experts can:

- Draft agreements to protect your rights.
- Provide legal representation in disputes.
- Offer guidance on safeguarding your financial and parental rights.
- Help you address the complexities of the Domestic Violence Act.

We advise you not to let the legal loopholes leave you unprotected. If you're facing challenges due to a live-in relationship, reach out to [Family Kanoon](#) today for professional legal advice and support. Together, we can ensure your rights are safeguarded.