

“DOMESTIC VIOLENCE IN SAME SEX RELATIONSHIPS: LEGAL PROTECTION IN INDIA”

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ABSTRACT: Domestic violence in same-sex relationships is an area that is woefully under-studied and remains invisible in the discourses on violence both legally and socially in India. Since the decriminalisation of same-sex relationships through Section 377 of IPC (2018), there are three areas of equal rights that meaningfully lack which are relationship, legal recognition and protection from domestic violence. This paper will explore the many facets of domestic violence within, while analysing the social, cultural and legal barriers that engender victimisation and invisibility. Through a critique of the legal framework, policies, and judicial understanding of violence against LGBTQ+ siblings, the research identifies gaps in Indian law that do not offer recourse and safety for queer individuals who are subjected to domestic violence.

The paper also connected to the grassroots realities by reviewing reports produced by human rights organizations and LGBTQ collectives, grounding some of the legal analysis in lived experience. The findings of this research suggested that legislative reform is urgently needed for increasing the scope of protections under the law to include all persons, irrespective of gender and/or sexuality. This paper ultimately concluded that failure to explicitly include samesex domestic violence has institutionalized inequality, which defeats justice.

Keywords: Domestic violence, same-sex relationships, LGBTQ+ rights, legal protection, gender neutrality, legal reform, human rights, India.

1. INTRODUCTION

The changing legal and policy landscape mainly attends to violence in heterosexual and married relationships, leaving people in same-sex relationships vulnerable to violence without adequate legal protections, legal services, access to resources, or recourse. To highlight the issue of a prior Supreme Court judgment, namely *Navej Singh Johar v. Union of India* in (2018), which decriminalized consensual same-sex relations, is significant legal reform. Yet, the LGBTQ+ community continues to struggle for equal protection of the law, which includes legal recognition from domestic violence.¹

Domestic violence includes a range of types of abuse (i.e. physical, emotional, sexual, economic, and psychological) that occur in intimate relationships. In the case of same-sex abuse, these patterns of abuse also occur, albeit perhaps with differing contexts (for example, evidence and treatment may lack scaffolding to address the societal stigma, or the victims may lack acceptance, or may fear being outed, etc.). Women or men abused by a same-sex partner experience additional barriers as compared with heterosexual beneficiaries (for example, victims may be socially isolated, lack family support, or have limited or fewer formal justice options). Barriers are affected and exacerbated by the presence of

¹ Kumar, P., Mishra, N., & Datta, S. (2024). Queer and trans community building in post-NALSA and post-377 India: a critical reflection. *Community Development Journal*, 59(2), 209–229. <https://doi.org/10.1093/cdj/bsae010>

stereotypes related to the legitimacy of the existence of abuse in a same-sex relationship, leading to underreporting and/or a lack of institutional response.²

However, it does so through a gendered framework that restricts protection and recognition of violence to women and disregards violence in non-heteronormative settings. Same-sex partners - similarly, male and transgender victims - are beyond the ambit of the act and must rely on general criminal provisions which do not effectively deal with intimate abuse. The statute's gender orientation highlights the need for a more gender-neutral understanding of domestic violence which recognizes domestic violence to be a human rights violation not only a one-dimensional women's issue.

The situation is exacerbated by the absence of legal recognition for same-sex relationships. In India, informal structures (marriage, civil partnership or cohabitation) are not available to provide victims of domestic abuse in same-sex relationships a legally recognized way under family or criminal law to take refuge. The absence of institutional recognition breeds a culture of silence, which deters survivors from getting relief or safe-haven out of fear of discrimination.

Apart from that, societal attitudes toward homosexuality also play a critical role in shaping the vulnerability of same-sex partners to domestic violence. Deep-rooted cultural conservatism forces couples to hide their relationships, and such social prejudice results in victims being isolated and abusers protected from accountability. The fear of exposure or social ostracism prevents many survivors from approaching the police, legal aid services, or even support organizations. Besides this, the insensitivity of law enforcement officers and the judiciary toward LGBTQ+ issues has often led to secondary victimization, preventing victims from seeking justice.

Many countries worldwide have taken steps to recognize the need for inclusive domestic violence legislation that covers all persons regardless of sexual orientation or gender identity. Countries like Canada, the United Kingdom, and Australia have rewritten laws of domestic violence to extend equal protection to same-sex couples. Such legal changes can provide valuable lessons to India on the application of a gender-neutral framework with full adherence to the ideals of equality and non-discrimination. Domestic violence in same-sex relationships demands greater awareness, legal reform, and policy intervention.

2. LEGAL RECOGNITION OF SAME-SEX RELATIONSHIPS IN INDIA

The courts have indeed done much to protect the personal freedoms of individuals in same-sex relationships. The courts do have the right to live together and establish "chosen families." For example, the Madras High court May 2025, that a family should not be viewed strictly in the context of a marriage in order to be able to afford same sex couples the residential and relational choices without intermeddling, or threats of violence and kidnapping by their families. Similarly, the Kerala High Court, in 2024, acknowledged the various vulnerabilities faced by LGBTQ+ individuals at the hands of their own families and how certain societal and familial configurations can themselves become sites of violence and abuse.³

Despite such progress, same-sex marriages or civil unions have not yet been afforded legal recognition by Parliament and state legislatures. In October 2023, the judges ordered that legally

² Hardesty, J. L., Khaw, L., Fonseca, C., & Oswald, R. F. (2009). Lesbian/Bisexual Mothers and Intimate Partner Violence: Help Seeking in the Context of Social and Legal Vulnerability. *Violence Against Women*, 17(1), 28–46. <https://doi.org/10.1177/1077801209347636>

³ Klarman, M. (2004). From Jim Crow to civil rights: the Supreme Court and the struggle for racial equality. *Choice Reviews Online*, 42(03), 42–1640. <https://doi.org/10.5860/choice.42-1640>

enter into a civil union, deferring to the legislature to make the decision. The Special Marriage Act provides a civil framework for marriage but still uses gendered terms and currently excludes same-sex couples. Efforts to achieve marriage equality through judicial redress have been thwarted by judicial reticence to date, with the courts continuing to call upon legislative initiative as the proper path toward crafting inclusive laws.

While same-sex couples can, to a certain extent, depend upon court protections for live-in relationships, especially against familial violence or interference, major areas of legal protection—such as marriage registration, adoption rights, inheritance, and spousal entitlements—continue to be beyond the realm of gay partners. Some states, such as Uttarakhand, revise laws on marriage registration and live-in relationships but remain silent with respect to specifically allowing same-sex unions. The administrative and regulatory frameworks—like the Central Adoption Resource Authority—also continue to bar queer couples from joint adoptions, underscoring many of the legal and social obstacles in place for LGBTQ+ families.⁴

Continued litigation and changes in public attitudes dramatize a growing shift in the culture and legal landscape on issues of same-sex relationships. High court decisions, organizing work, and increased acceptance by younger and more urban constituencies suggest a changing landscape; yet, in the absence of full legal recognition, LGBTQ+ individuals and couples remain vulnerable to discrimination, lack of protection, and social stigma.

3. PREVALENCE AND NATURE OF DOMESTIC VIOLENCE IN SAME-SEX RELATIONSHIPS

You conduct research studies which show a specific subset of the population, the LGBTQIA+ community, and specifically the community of India which also has a subset of the LGBTQIA+ population of India which has suffered multiple types of domestic violence, and/or abuse, and/or violence which is also related to or leads to domestic violence in which members, and or participants of the LGBTQIA+ community of India has suffered in some, and/or has been abused or suffered violence and abuse or approximately, and about to suffer violence. Reported approximately 61.8% of the surveyed participants, or in some form, suffered violence during or after their relationships—and of these, gay men reported, dominated, suffered under slavery violence suffered men under Reported about 31.4 suffering of approximately, and suffered having survived about, and or dominated approximately 25.2. Underreporting, and or is of concern, and in some cases, groups are. This prevalence is relatively high compared to some international data and reflects the compounded vulnerabilities faced by sexual minorities in the Indian social context.⁵

The forms of abuse in same-sex relationships reflect those seen in heterosexual domestic violence but are often more complex because of the added layers of social discrimination. The most common forms reported are emotional and psychological abuses, which include verbal insults, manipulation, coercion, and controlling behaviors. Many victims also report cheating and betrayal as destructive factors to psychological distress. Physical violence, including punching and slapping, and more severe assaults such as attempted murder, has been documented, but often these abuses are very difficult for victims to admit and report.

⁴ Bernstein, M. (2015). Same-Sex Marriage and the Future of the LGBT Movement. *Gender & Society*, 29(3), 321–337. <https://doi.org/10.1177/0891243215575287>

⁵ Sabri, B., Renner, L. M., Stockman, J. K., Mittal, M., & Decker, M. R. (2014). Risk Factors for Severe Intimate Partner Violence and Violence-Related Injuries Among Women in India. *Women & Health*, 54(4), 281–300. <https://doi.org/10.1080/03630242.2014.896445>

What perhaps makes different is the added impact of societal stigma, fear of disclosure, and lack of familial acceptance that is highly isolating for victims and prohibits them from seeking help. Most survivors of abuse keep it hidden due to a fear of "outing" themselves, which risks further discrimination, alienation, and even legal backlashes in a society not fully accepting of LGBTQIA+ individuals. This invisibility is further perpetrated by institutional barriers, such as police apathy, a lack of sensitization among legal authorities, and inadequate service provisions meant for queer survivors.⁶

Sociodemographic variables play an important role in the prevalence and experience. The educational level, occupation, living environment, and openness about sexual orientation will greatly affect both vulnerability and ability to respond to the abuse. Those individuals who have not come out or are socially isolated often bear greater levels of abuse and suffer from barriers that limit resource accessibility and protection. The type of relationship a couple maintains, as well as the knowledge and awareness a partner has regarding domestic violence, also statistically relates to the incidence of violence.⁷

This victimization has been compounded by cultural and familial challenges that sometimes result in abuse not only from partners but also from relatives and close social circles—a multi-layered aspect of violence. The combined effect of these factors creates a harsh environment in which domestic violence in same-sex relationships can spread unnoticed, with victims without safe spaces or formal legal recourse.

4. INDIAN LAWS RELEVANT TO DOMESTIC VIOLENCE

The Protection of Women from Domestic Violence Act (PWDVA), 2005, is the main legislation governing domestic violence in India. This was a landmark in Indian legal history, having broadly defined domestic violence and recognizing various forms of abuse such as physical, sexual, emotional, verbal, and economic abuse. However, its coverage is explicitly limited to protecting women in domestic relationships, thus excluding men and individuals in same-sex relationships from direct protection under this law.⁸

The PWDVA defines an "aggrieved person" as any woman who is or has been in a domestic relationship with the respondent and who alleges to have been subjected to domestic violence by the respondent. The Act protects violence not only by husbands but also by male relatives or other persons. Most importantly, the Act recognizes not only the conventional husband-wife relationship but includes live-in relationships and relationships in the nature of marriage, provided the victim. This framing inherently, since the partners may be male, transgender, or non-binary individuals.⁹

The PWDVA thus provided for various civil redress mechanisms for victims of domestic violence: a protection order that prevents the abuser from committing further violence, a residence order allowing the aggrieved woman a right to stay in the shared household, monetary relief for expenses and maintenance, custody orders regarding children, and compensation orders for damages caused.

⁶ McAuliffe, C., Walsh, R. J., & Cage, E. (2022). "My whole life has been a process of finding labels that fit": A Thematic Analysis of Autistic LGBTQIA+ Identity and Inclusion in the LGBTQIA+ Community. *Autism in Adulthood: Challenges and Management*, 5(2), 127–138. <https://doi.org/10.1089/aut.2021.0074>

⁷ Drabish, K., & Theeke, L. A. (2021). Health Impact of Stigma, Discrimination, Prejudice, and Bias Experienced by Transgender People: A Systematic Review of Quantitative Studies. *Issues in Mental Health Nursing*, 43(2), 111–118. <https://doi.org/10.1080/01612840.2021.1961330>

⁸ Khosla, A., Devi, L., Dua, D., & Sud, S. (2005). Domestic violence in pregnancy, & in North Indian women. *Indian Journal of Medical Sciences*, 59(5), 195.

⁹ Clark, O. W. (1992). Physicians and Domestic Violence. *JAMA*, 267(23), 3190.

The Act also provides for the appointment assist victims in filing complaints, accessing legal aid, securing shelter homes, and obtaining medical treatment.¹⁰

Other criminal provisions under the IPC, like Section 498A for cruelty by husband or relatives, Section 354 for assault or criminal force to woman with intent to outrage her modesty, and sections pertaining to assault and stalking, might also apply to cases of domestic violence. However, these, too, are largely framed around heterosexual and male-female family dynamics, offering only limited direct recourse for same-sex partners facing intimate partner violence.

The non-inclusion of same-sex couples within the formal definition of domestic relationships under the PWDVA is viewed as a major legal lacuna. Given that India has not yet legally recognized same-sex marriage, partnership, or civil union under family law, same-sex partners are excluded from the protective radius of marriage-based and domestic relationship protections. Large numbers of victims are thus rendered vulnerable and without the benefit of specific domestic violence remedies available to heterosexual women. Moreover, sensitivity by police and the judiciary towards complaints received from LGBTQ+ individuals is very often starkly lacking, further compounding the issue.¹¹

Although there are legal tools that same-sex survivors can resort to-like filing general criminal complaints under assault or harassment provisions-they do not provide the specialized, preventive, and rehabilitative protections under the PWDVA. The current legal regime, therefore, illustrates the urgent need for reforms regarding gender-neutral definitions of domestic relationships and comprehensive protections that include all intimate partnerships, irrespective of sexual orientation or gender identity.

5. PROTECTION MECHANISMS AND SUPPORT SYSTEMS

It is found that there are limited and underdeveloped protection mechanisms and supporting systems in place for survivors of same-sex relationship domestic violence, which echoes the broader challenges faced by LGBTQ+ individuals in accessing inclusive legal and social services. While incidents of domestic violence do occur within LGBTQ+ relationships, a lack of explicit legal recognition and stigma prevent many survivors from reporting abuse and seeking help.¹²

While there are formal legal protections, such as the PWDVA, 2005, most of these legal aids are for women in heterosexual relationships. Survivors in same-sex relationships, particularly gay men, bisexual individuals, and transgender persons, often fall outside the ambit of directly availing these legal aids. Many thus rely on general provisions under criminal law or struggle with institutional apathy and discrimination.

The lack of recognition has meant that several LGBTQ+ organizations and NGOs have taken up the space at the community level by providing crisis support, counseling, and legal aid specifically catering to the needs of queer survivors. Organizations like the Humsafar Trust, Naz Foundation, and local queer collectives operate helplines, safe spaces, and advocacy resources specific for dealing with intimate partner violence in the LGBTQ+ community. These organizations also build awareness, sensitize law and order and healthcare service providers, and capacity-build on queer-friendly support services.

¹⁰ Modi, M. N., Armstrong, A., & Palmer, S. (2013). The role of Violence Against Women Act in addressing intimate partner violence: a public health issue. *Journal of Women's Health*, 23(3), 253–259.

¹¹ Freed, D., Dell, N., Minchala, D. E., Palmer, J., Ristenpart, T., & Levy, K. (2017). Digital Technologies and Intimate Partner Violence. *Proceedings of the ACM on Human-Computer Interaction*, 1(CSCW), 1–22.

¹² Jordan, S. P., Fujikawa, K. A., & Mehrotra, G. R. (2019). Mandating Inclusion: Critical Trans Perspectives on Domestic and Sexual Violence Advocacy. *Violence Against Women*, 26(6–7), 531–554.

Initiatives by the government, like one-stop centers that integrate services required by victims of domestic violence (medical aid, counseling, legal support, and police assistance), are only aimed at women survivors of heterosexual relationships and are not always sensitized or prepared to handle cases involving LGBTQ+ individuals. Training programs for police and health workers are on the rise, though usually insufficient, to meet the requirements of queer survivors, who more often than not face biases and ignorance when reporting the abuse or seeking help.¹³

Other challenges are that many support services do not have gender-neutral language, data is not collected regarding LGBTQ+ domestic violence, and survivors may be "outed," which can mean social ostracism or familial rejection. This is the fear that mostly prevents lesbian, gay, bisexual, transgender, and queer people from coming forward for any service or complaint to higher authorities.

Despite these gaps, there is some progress in grassroots and advocacy movements: Paralegal volunteers are increasingly trained at the community level to support LGBTQ+ survivors with navigating the legal system, documentation, and social benefits. Progressive initiatives also aim to sensitize judicial and police authorities on the issues of LGBTQ+, ensuring that trauma-informed practices and nondiscriminatory treatment are mainstreamed. These intersectional efforts highlight collaboration among health, legal, and social service providers to establish comprehensive care networks.

6. GAPS IN PROTECTION FOR SAME-SEX COUPLES

Although there have been important legal milestones in India, such as the in 2018, significant gaps still persist in the formal legal protection extended to same-sex couples regarding domestic violence, relationship recognition, and related rights. Indeed, the Indian legal framework does not currently recognize same-sex marriages, civil unions, or other forms of formal partnerships. In recent years, some courts have acknowledged that live-in relationships between same-sex partners are permissible under the law; nonetheless, this recognition extends scant legal protection and does not provide the array of rights.¹⁴

Such exclusion from legal recognition deprives the of basic normally associated with marriage and family life, including inheritance rights, joint ownership of property, adoption rights, spousal maintenance, and legal decision-making in medical or financial matters. To be sure, the Special Marriage Act, one offering a secular alternative for getting married, does not permit same-sex marriages explicitly. Even though some petitions have contested this exclusion under the Constitution, the Supreme Court left it to Parliament, which has not yet legislated on this issue.

This invisibility exacerbates vulnerabilities. The existing legislation dealing with domestic violence—the Protection of Women from Domestic Violence Act, 2005—is gender-specific and protects only women within domestic relationships but does not account for men and other gender identities in same-sex partnerships. Thus, for the survivors in these types of relationships, important legal redress and preventive protections that are tailored to their realities are lacking. Although some courts have used live-in relationship rulings to extend limited protections, these are piecemeal and inconsistent between jurisdictions.¹⁵

¹³ Flanders, C. E., Anderson, R. E., & Tarasoff, L. A. (2020). Young Bisexual People's Experiences of Sexual Violence: A Mixed-Methods Study. *Journal of Bisexuality*, 20(2), 202–232.

¹⁴ Donnelly, R., Umberson, D., & Robinson, B. A. (2018). Can Spouses Buffer the Impact of Discrimination on Depressive Symptoms? An Examination of Same-sex and Different-sex Marriages. *Society and Mental Health*, 9(2), 192–210.

¹⁵ Sadri, M. (2024). HIPAA: A Demand to Modernize Health Legislation. *The Undergraduate Law Review at UC San Diego*, 2(1).

Another important gap involves social security and healthcare entitlements related to family status. Social benefits such as nominations for pensions, health insurance, and joint bank accounts have only recently begun to be considered for same-sex couples through limited government clarification efforts, but these are insufficient and poorly applied. The absence of comprehensive policies recognizing same-sex relationships is perpetuating economic and social insecurity for LGBTQ+ individuals dependent on their partners.

Additionally, such legal and institutional barriers as police insensitivity, lack of awareness among members of the judiciary, and stigma associated with LGBTQ+ identities further reduce access to justice and protection for the survivors of abuse. The fear of "outing" leads to under-reporting of such violence; many same-sex partners seek informal support networks without approaching official mechanisms. Activists in the LGBTQ+ community say the failure of the existing legal framework to include explicit, gender-neutral domestic violence protections reflects broader societal and institutional discrimination that bars the effective safeguarding of queer individuals in intimate relationships.

In all, the gaps in legal recognition, protective legislation, and social policy create a fragmented and inadequate system of protection for same-sex couples facing domestic violence in India. This brings into focus the urgent need for comprehensive legal reforms: the enactment of gender-neutral domestic violence laws, the legal recognition of same-sex marriages or civil unions, and sensitization of law enforcement and judicial bodies to ensure equal access to protection and justice.¹⁶

7. NGOS AND COMMUNITY INITIATIVES

NGOs and community initiatives thus play an important role in supporting survivors of same-sex relationship domestic violence in India, given the gaps in formal legal protection and institutional support. Apart from services for the victims themselves, they carry out advocacy, awareness building, and capacity development toward addressing the specific challenges the LGBTQ+ community faces.¹⁷

One such critical NGO operating in this space is the Humsafar Trust, which has a long history of service to sexual minorities in India. The Trust provides counseling, legal aid, and health services; these include specific programs for lesbian, bisexual, and transgender individuals facing violence in their relationships. Its studies point to the alarming incidence of violence within transgender communities. While it continues to sensitize the police and public health facilities on better ways to address LGBTQ+ issues, Humsafar Trust has also created manuals and guidelines to improve the response to violence against queer people and institutionalized mechanisms to support community-led responses.¹⁸

SAATHII primarily focuses on health, rights, and social protection of the LGBTIQ+ communities. It, in collaboration with different grassroots organizations spread over a number of states, implements various programs on crisis intervention, legal literacy, and developing para-legal volunteer networks. Many of its projects emphasize sensitization of important stakeholders like police, healthcare workers, and educators, which is imperative to provide better access to justice and support for victims of domestic abuse.

¹⁶ Quinn, J. F., & Cahill, K. E. (2016). The new world of retirement income security in America. *American Psychologist*, 71(4), 321–333.

¹⁷ Ford, C. L., Holt, S. L., Slavin, T., & Hilton, K. L. (2012). Intimate Partner Violence Prevention Services and Resources in Los Angeles. *Health Promotion Practice*, 14(6), 841–849.

¹⁸ Ganju, D., & Saggurti, N. (2017). Stigma, violence and HIV vulnerability among transgender persons in sex work in Maharashtra, India. *Culture, Health & Sexuality*, 19(8), 903–917.

Other community-based initiatives include the Naz Foundation, which offers legal counseling, HIV/AIDS support, and mental health support specifically for sexual minorities; and the Vikalp Women's Group in Gujarat, which works on violence prevention for queer women. The state-based collectives, Queerala and Sahayatrika, function in Kerala, offering peer support, counseling, and aiding survivors in accessing medical and legal services. Many of them collaborate with human rights groups and engage in advocacy to push for inclusive domestic violence laws and anti-discrimination protections.

A number of NGOs run helplines and shelter homes, either exclusively or inclusively, for LGBTQ+ survivors of violence. For example, the LGBTQ Domestic Violence Awareness Foundation offers support, awareness, and referrals for safe housing specific to queer survivors. In this way, such services help close the trust deficit between marginalized survivors and mainstream institutions through culturally competent and confidential services.¹⁹

While Majlis Manch is essentially a women's rights organization, it provides socio-legal support and has opened its services to queer women victims of domestic and sexual violence. Holistic in nature, the services they offer include legal advice, counseling, and assistance in seeking shelter and availing public schemes. This shows how important an intersectional approach is when dealing with domestic abuse.

Yet, notwithstanding such efforts, challenges remain in scaling services and overcoming societal stigma that constrains survivors' willingness to seek help. Many of the initiatives underpin their work with relatively scarce resources, relying heavily on volunteer networks and donor funding. However, it is this consolidated effort of NGOs and community groups that acts as a beacon of hope in providing vital support and promotion for societal and legal changes that can better protect and empower survivors of same-sex relationship domestic violence throughout India.²⁰

8. **STRUCTURAL AND SOCIETAL OBSTACLES**

India is deeply influenced by a confluence of structural and societal barriers impeding survivor access to justice, support, and recognition. One major structural barrier is the widespread misinformation and, judiciary, and the nature of intimate partner violence in LGBTQ+ relationships. Often, police officers, who receive no sensitivity training, adopt dismissive attitudes and misclassify complaints or advise victims to return to abusive households rather than providing protection or facilitating legal remedies. The institutional ignorance of issues related to sexual minorities is compounded by implicit biases that treat these cases as personal or moral issues rather than criminal offenses or human rights violations.²¹

Social stigma and discrimination remain potent silencers of many survivors. The threat of being "outed"-being publicly identified as LGBTQ+-can also carry severe repercussions, including familial rejection, social ostracism, or loss of employment. Many survivors are compelled to hide abuse in order not to compromise their identity, which makes underreporting a serious challenge. This so-called "double closet" effect describes how victims suffer a dual burden of experiencing violence within the relationship, while at the same time facing external social homophobia or transphobia, further isolating them. The usual thinking from cultural conservatism views LGBTQ+ relationships

¹⁹ Drabble, L. A., & Eliason, M. J. (2021). Introduction to Special Issue: Impacts of the COVID-19 Pandemic on LGBTQ+ Health and Well-Being. *Journal of Homosexuality*, 68(4), 545–559.

²⁰ Day, A. S., & Gill, A. K. (2020). Applying intersectionality to partnerships between women's organizations and the criminal justice system in relation to domestic violence. *The British Journal of Criminology*, 60(4), 830–850.

²¹ Kurdyla, V. (2021). Disclosure Experiences for Transgender and Nonbinary Survivors of Intimate Partner Violence. *Journal of Homosexuality*, 70(3), 473–496.

as illegitimate or immoral and is often the biggest barrier to community and institutional support systems.²²

Most of the survivors of same-sex relationships fall outside the ambit of domestic violence laws based on various legal grounds. For example, to protect women against abuse, leaves many gender minorities and male partners outside its framework. The gap created by this lack implies that appropriate legal definitions and recourse options that match such experiences are mostly not available to survivors. It is this gap that perpetuates systemic invisibility and contributes toward uncertainties about the applicability of existing legal remedies.

Economic challenges further exacerbate vulnerability. Employment and housing are frequently denied to LGBTQ+ people, which ultimately contributes to economic instability and reduced resources to seek escape from violent relationships. Without economic independence or open and accepting shelters and support services, survivors cannot leave dangerous environments. For instance, mainstream shelters rarely accept or have the capacity for LGBTQ+ victims, a dynamic that illustrates how few safe havens there are for survivors of same-sex violence.

Furthermore, social networks that could otherwise help victims of abuse, such as family or community groups, are not accessible or even hostile to LGBTQ+ survivors. Rejection and alienation by families are common; thus, survivors may be highly dependent on current partners, sometimes abusers, or limited queer support groups. This lack of broader social support networks increases isolation and reduces the ability to seek help.

The fragmented relationships contributes to inconsistent or poor responses from judicial and law enforcement authorities, who have a history of misunderstanding or undermining claims of abuse in LGBTQ+ contexts. Survivors have to negotiate intersections between legal invisibility, societal prejudice, and low levels of institutional accountability. This condition fosters a vicious cycle of silence, vulnerability, and unmet protection needs among survivors of same-sex domestic violence in India.

Such structural and societal obstacles indeed require multi-pronged reforms: comprehensive sensitization and capacity-building of police and judiciary, laws offering protection in a gender-neutral manner, expansion of inclusive support infrastructure, economic empowerment programs, and strong anti-discrimination measures. In the absence of this, domestic violence in same-sex relationships is very much likely to continue as a latent and unaddressed human rights issue within the context of India itself.

CONCLUSION

While path-breaking judgments decriminalizing consensual same-sex relations and recognizing live-in same-sex relationships have indeed marked a progressive streak, such judicial advancements have yet to culminate in the extension of comprehensive legal protection to victims of domestic violence within LGBTQ+ relationships. The current primary legislation is explicitly gendered, excluding many survivors in same-sex relationships who cannot be accommodated within its binary categories of "aggrieved women" and "male respondents."

²² Hereth, J. (2021). "Where is the Safe Haven?" Transgender Women's Experiences of Victimization and Help-Seeking across the Life Course. *Feminist Criminology*, 16(4), 461–479.

Social stigma, discrimination, and institutional insensitivity add to the invisibility of same-sex domestic violence within legal structures. Survivors often face obstacles that range from fear of being “outed,” rejection by the family, lack of gender-neutral shelters, police, and judicial apathy. Economic vulnerabilities further trap many in abusive relationships due to an absence of inclusive social support systems. Non-governmental organizations and community initiatives have been essential in bridging these gaps by providing counseling, legal assistance, safe spaces, tailored the queer community.

Efforts alone, however, cannot replace integrated legal reforms. The urgent need is to develop gender-neutral domestic violence laws that explicitly recognize and protect all survivors, regardless of gender identity or sexual orientation. Of equal importance is the healthcare providers in responding effectively to LGBTQ+ domestic violence survivors. Legal recognition of same-sex unions would provide a necessary framework for the protection of rights with regard to property, inheritance, healthcare decision-making, and social security, which are all closely related to addressing domestic abuse and victim safety.

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