

DOMESTIC VIOLENCE IN INDIA: LONG-TERM HARMS AND THE LIMITS OF THE PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT, 2005

by

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ABSTRACT

Domestic violence in India continues to be one of the most widespread yet deeply silenced forms of gender-based violence. While the immediate physical injuries of domestic violence are visible and documented, the long-term consequences suffered by survivors remain largely invisible to both law and society. This paper examines the enduring effects of domestic violence on women survivors in India across psychological, physical, social, and economic dimensions. The National Family Health Survey-5 reveals that nearly thirty percent of Indian women between eighteen and forty-nine years have experienced spousal violence.¹ Research consistently shows that survivors develop serious long-term conditions including post-traumatic stress disorder, chronic depression, and anxiety disorders that persist for years after the violence ends. Children who witness domestic violence within households further carry these traumatic experiences into adulthood, creating cycles of intergenerational trauma that extend the harm beyond the immediate survivor. Beyond psychological damage, domestic violence leaves survivors economically dependent, socially isolated, and physically weakened through chronic health conditions. This paper argues that understanding these long-term effects is essential for building effective policy responses, support

¹National Family Health Survey-5 (NFHS-5), 2019-21, Ministry of Health and Family Welfare, Government of India, 2022.

systems, and legal frameworks that go beyond immediate protection to address genuine recovery and rehabilitation of survivors in India.

Keywords: Domestic violence, long-term effects, PTSD, intergenerational trauma, women survivors, psychological harm, gender-based violence

I. Introduction

There is something profoundly troubling about the way Indian society has, for generations, treated violence within the home as a matter too private for public scrutiny. Domestic violence — the sustained, systematic exercise of power and control by one intimate partner over another — has long been shrouded in silence, justified by custom, and dismissed as a domestic affair best left to the family to resolve. What this attitude has consistently failed to reckon with, however, is the sheer depth and permanence of the damage that such violence causes.

When the Protection of Women from Domestic Violence Act was enacted in 2005,² it represented an important acknowledgment by the legislature that the State could no longer remain a passive bystander to abuse occurring behind closed doors. The Act provided civil remedies — protection orders, residence orders, monetary relief — that had simply not existed before. And yet, a careful examination of where survivors of domestic violence find themselves years after the violence has ended reveals a picture that the law, as presently framed, has been ill-equipped to address. The wounds do not heal when the abuser leaves the house. Often, they deepen.

This paper attempts to look seriously at those wounds. Drawing on health data, judicial decisions, and existing scholarship, it traces the long-term consequences of domestic violence across the psychological, physical, economic, and social spheres of a survivor's life. It also examines whether India's current legal framework is genuinely adequate to address these lasting harms — and argues that it is not, at least not without significant reform. The paper concludes with concrete suggestions for how the law and policy might be reoriented towards genuine recovery, rather than mere protection from ongoing abuse.

²Protection of Women from Domestic Violence Act, 2005 (Act 43 of 2005).

II. Understanding Domestic Violence: Meaning, Scope and Prevalence

Domestic violence, at its core, is about power. It is not simply the act of hitting, slapping, or physically harming another person, though those acts certainly constitute its most visible manifestation. It is, more precisely, a pattern of behaviour through which one person in an intimate or domestic relationship seeks to dominate, control, and subjugate the other. Physical violence, sexual coercion, emotional manipulation, economic deprivation, and the use of threats and intimidation are all recognised forms of domestic abuse. The Supreme Court of India, in *Indra Sarma v V.K.V. Sarma*,³ made clear that domestic violence is not confined to acts of physical violence alone, but extends to any conduct that harms, injures, or endangers the health, safety, or well-being of a person within a domestic relationship.

The scale of the problem in India is staggering, even by conservative estimates. The National Family Health Survey-5, conducted between 2019 and 2021, found that nearly thirty percent of ever-married women aged eighteen to forty-nine had experienced spousal violence.⁴ These numbers, disturbing as they are, almost certainly understate the reality. Research repeatedly shows that a significant majority of women who suffer domestic violence never report it to the police, never approach a court, and never seek formal help of any kind. The reasons are well understood: social stigma, economic dependence, fear of retaliation, and the deeply internalised belief, reinforced by family and community, that enduring abuse is part of what it means to be a wife.

This divergence between survey-based estimates and official crime data is striking: recent analyses comparing National Family Health Survey findings with National Crime Records Bureau statistics show that formal complaints capture only a fraction of the violence reported in household surveys, with the gap most pronounced in rural areas where institutional access remains limited. Such underreporting means that the true burden of domestic violence in India, and consequently its long-term consequences for survivors, is likely substantially greater than official figures suggest.⁵

³*Indra Sarma v V.K.V. Sarma*, (2013) 15 SCC 755 (Supreme Court of India).

⁴National Family Health Survey-5 (NFHS-5), 2019-21, Ministry of Health and Family Welfare, Government of India, 2022.

⁵Tanvi Saxena, 'Crimes Against Women in India: Trends, Challenges, and Policy Responses' (Social and Policy Research Foundation, 13 October 2025) <<https://sprf.in/crimes-against-women-in-india-trends-challenges-and-policy-responses/>> accessed 2 July 2026.

The courts have, over time, attempted to ensure that the legal definition of domestic violence keeps pace with the lived reality of survivors. In *Hiral P. Harsora v Kusum Narottamdas Harsora*,⁶ the Supreme Court struck down the restrictive reading of the term ‘respondent’ under the 2005 Act that had excluded female relatives from its scope, rightly recognising that violence against women within households is not always perpetrated by male partners alone. And in *SR Batra v Taruna Batra*,⁷ the Court grappled with the difficult question of the right to residence in a shared household, reflecting the broader judicial awareness that domestic violence implicates not just bodily safety but the most basic conditions of a woman’s daily existence.

III. Root Causes of Domestic Violence in India

To understand why domestic violence produces such lasting damage, one must first understand the conditions that give rise to it and sustain it. Domestic violence in India is not an aberration. It is, in many ways, a logical product of the social structures within which most Indian women live their lives.

Patriarchy is the soil from which domestic violence grows. The organisation of Indian family life around male authority — the expectation that wives will be obedient, that daughters-in-law will serve without complaint, that women who are beaten have somehow brought it upon themselves — creates a cultural environment in which violence is not just tolerated but, in many communities, quietly sanctioned. The Supreme Court in *Savita Samvedi v Union of India*⁸ acknowledged that gender discrimination is incompatible with constitutional guarantees of equality, but the gap between constitutional aspiration and social reality in this domain remains very wide indeed.

Economic dependence plays an equally important and often underappreciated role. A woman who has no income of her own, no bank account, no property in her name, is a woman who cannot easily leave. Her choices are constrained not by law but by material circumstance. Abusers frequently exploit this dependence deliberately, using economic control as an instrument of domination. This is why domestic violence and poverty are so closely linked in the Indian context — not because poor women are inherently more vulnerable to violence, but because poverty removes the options that might otherwise allow a woman to resist or escape. This dynamic is borne

⁶*Hiral P. Harsora v Kusum Narottamdas Harsora*, (2016) 10 SCC 165 (Supreme Court of India).

⁷*SR Batra v Taruna Batra*, (2007) 3 SCC 169 (Supreme Court of India).

⁸*Savita Samvedi v Union of India*, AIR 1996 SC 3282 (Supreme Court of India).

out by labour market data. Although India's female labour force participation rate rose from 23.3 percent in 2017-18 to 41.7 percent in 2023-24, the rate remains well below that of men and is concentrated disproportionately in informal, unpaid, or subsistence-oriented work that offers little genuine financial independence or bargaining power within the household.⁹

Cultural practices such as dowry, child marriage, and the social disapproval attached to separation further entrench these power imbalances. A woman who attempts to leave an abusive marriage frequently finds herself without family support, without housing, and without social standing. The landmark judgment in *Vishaka v State of Rajasthan*¹⁰ while concerned specifically with workplace sexual harassment, articulated a principle of broader application: that the dignity of women is a constitutional value, and that the State bears a positive obligation to protect it.

IV. Long-Term Effects of Domestic Violence on Survivors

A. Psychological Effects

Perhaps no aspect of domestic violence is more poorly understood by law and policymakers than its psychological consequences. There is a tendency, both in legal discourse and in popular understanding, to treat the harm of domestic violence as coterminous with the act of violence itself — as though, once the hitting stops, the damage is done. The reality is far more complicated and far more enduring.

Post-traumatic stress disorder is among the most commonly documented long-term psychological consequences of domestic violence. Survivors describe living for years — sometimes for the rest of their lives — with intrusive memories, nightmares, and a chronic state of hyperarousal that makes ordinary daily functioning enormously difficult.¹¹ Depression, anxiety, and a pervasive sense of worthlessness are also widely reported. These are not transient reactions to a difficult experience. They are the neurological and psychological imprints of sustained trauma, and they require sustained, professional treatment to address. A cross-sectional survey of nearly five thousand ever-married women in Mumbai's informal settlements found that domestic coercive

⁹ Press Information Bureau, Government of India, 'Periodic Labour Force Survey (PLFS) – Annual Report [July 2023-June 2024]' (Ministry of Statistics and Programme Implementation, 23 September 2024) <<https://pib.gov.in/PressReleasePage.aspx?PRID=2057970>> accessed 2 July 2026.

¹⁰ *Vishaka v State of Rajasthan*, AIR 1997 SC 3011 (Supreme Court of India).

¹¹ Judith Herman, *Trauma and Recovery: The Aftermath of Violence* (Basic Books, New York, 1992) 35.

control, a pattern closely associated with sustained abuse, was independently associated with significantly higher odds of depressive and anxiety symptoms as well as suicidal thinking, even after accounting for physical and sexual violence. These findings suggest that the psychological toll of domestic violence in India is driven not only by discrete violent episodes but by the ongoing exercise of control itself.¹²

Lenore Walker's work on the cycle of violence¹³ helped explain why survivors often feel unable to leave their abusers even when the danger is acute. The cycle of tension, explosion, and reconciliation that characterises many abusive relationships gradually erodes the survivor's sense of self and her belief in her own capacity to act. What Walker termed 'learned helplessness' is not weakness or passivity. It is the predictable psychological response of a person who has been conditioned, over months or years, to believe that resistance is futile. Understanding this is essential if the law is to respond to survivors with empathy rather than judgment.

Children who grow up in homes marked by domestic violence carry their own invisible wounds. Research consistently documents elevated rates of anxiety, depression, behavioural problems, and relational difficulties among children who have witnessed violence between their parents.¹⁴ Perhaps most troublingly, these children are significantly more likely to be involved in abusive relationships themselves as adults — either as victims or as perpetrators. The intergenerational transmission of domestic violence is one of the most serious and least addressed dimensions of the problem.

B. Physical Health Effects

The physical consequences of domestic violence extend well beyond the bruises and fractures that represent the most immediately visible injuries. Survivors of sustained physical abuse frequently suffer from chronic pain conditions that persist long after the abuse has ended. Recurrent headaches, back pain, joint disorders, and neurological symptoms resulting from repeated trauma to the head and body are commonly reported.¹⁵ Gynaecological problems — chronic pelvic pain,

¹² Suman Kanougiya, Nayreen Daruwalla, Lu Gram, Muthusamy Sivakami and David Osrin, 'Domestic Coercive Control and Common Mental Disorders among Women in Informal Settlements in Mumbai, India: A Cross-Sectional Survey' (2022) 37(19-20) *Journal of Interpersonal Violence* NP17934.

¹³ Lenore Walker, *The Battered Woman Syndrome* (Springer Publishing, New York, 3rd edn, 2009) 58.

¹⁴ Domestic Violence Intervention Programme (DVIP), *Breaking the Cycle: Intergenerational Impact of Domestic Violence* (DVIP Publications, London, 2020) 12.

¹⁵ World Health Organization, *Violence Against Women: Prevalence Estimates 2018* (WHO Press, Geneva, 2021).

menstrual irregularities, complications from forced intercourse, and sexually transmitted infections — are significantly more prevalent among domestic violence survivors than in the general population. Analysis of National Family Health Survey data has similarly found that women who report spousal violence, particularly physical and sexual violence, face significantly higher odds of adverse reproductive outcomes, including unwanted pregnancy, miscarriage, and pregnancy termination, underscoring that the physical toll of domestic violence extends well into a survivor's reproductive life.¹⁶

There is also a well-documented connection between chronic psychological stress and physical health deterioration. Cardiovascular disease, gastrointestinal disorders, and suppressed immune function have all been linked to prolonged exposure to domestic violence.¹⁷ The World Health Organization has characterised domestic violence as a major public health emergency precisely because its physical health consequences are so wide-ranging and so long-lasting. In India, where many women already face significant barriers to accessing quality healthcare, these consequences are compounded by inadequate medical support and the social pressure to conceal the true cause of injuries.

C. Economic and Social Effects

The economic impact of domestic violence on survivors is both immediate and enduring. Many survivors are forced to leave employment or are prevented from working by their abusers. Physical injuries, psychological conditions, and the sheer logistical demands of navigating an abusive relationship all take a heavy toll on a survivor's ability to maintain stable employment. Economic abuse, recognised as a form of domestic violence under the 2005 Act,¹⁸ involves the systematic denial of a woman's access to money, employment, and financial decision-making. Survivors who have been subjected to economic abuse frequently find themselves, upon leaving their abusers, with no savings, no employment history, no credit, and no financial safety net of any kind. A community-based survey in Mumbai found that nearly a quarter of ever-married women had experienced at least one form of economic abuse, most commonly the denial of property rights or

¹⁶ Mahadev Bramhankar and R S Reshmi, 'Spousal Violence against Women and its Consequences on Pregnancy Outcomes and Reproductive Health of Women in India' (2021) 21 BMC Women's Health <<https://doi.org/10.1186/s12905-021-01515-x>> accessed 2 July 2026.

¹⁷ Giri V. Mohini, Domestic Violence in India: A Summary Report of Three Studies (International Centre for Research on Women, New Delhi, 2000).

¹⁸ Protection of Women from Domestic Violence Act, 2005 (Act 43 of 2005), s 3(iv).

being deliberately excluded from financial decision-making, and that such abuse was independently associated with depressive and anxious symptomatology at levels comparable to those following physical violence. This suggests that economic deprivation is not merely a downstream consequence of domestic violence but an independently harmful form of abuse in its own right.¹⁹

Social isolation is another weapon commonly deployed by abusers, and its effects outlast the relationship itself. By severing a survivor's ties with her family, friends, and community, an abuser creates a situation of profound dependence that makes leaving both practically and emotionally difficult. Even after the relationship ends, survivors often find that the social networks that might have supported their recovery have been irreparably damaged. The Planning Commission of India has recognised that social isolation and economic dependence are among the most formidable obstacles to recovery faced by domestic violence survivors in India.²⁰ Without sustained support — social, economic, and legal — many survivors find that escaping violence is only the beginning of a far longer and harder struggle.

V. Legal Framework Addressing Domestic Violence in India

India's legal response to domestic violence has, over the past several decades, moved from near-total inaction to a reasonably elaborate statutory framework. The constitutional foundation for this framework lies in Articles 14 and 21 of the Constitution,²¹ which guarantee equality before law and the right to life and personal liberty. The Supreme Court has, over time, read Article 21 expansively to encompass the right to live with dignity — a right that is, at its most basic, violated every time a woman is subjected to violence in her own home.

The Protection of Women from Domestic Violence Act, 2005²² remains the primary legislative instrument for responding to domestic violence in India. Its significance lies not just in the remedies it provides — protection orders, residence orders, compensation, custody — but in its recognition that domestic violence is a civil wrong deserving of civil redress, and not merely a

¹⁹ Suman Kanougiya, Nayreen Daruwalla, Lu Gram, Apoorwa Deepak Gupta, Muthusamy Sivakami and David Osrin, 'Economic Abuse and its Associations with Symptoms of Common Mental Disorders among Women in a Cross-Sectional Survey in Informal Settlements in Mumbai, India' (2021) 21 BMC Public Health 842.

²⁰ Planning Commission of India, Report of the Working Group on Women's Agency and Empowerment for the Twelfth Five Year Plan 2012-17 (Government of India, 2011).

²¹ Constitution of India 1950, Articles 14 and 21.

²² Protection of Women from Domestic Violence Act, 2005 (Act 43 of 2005).

criminal matter. The Act created an institutional structure for responding to complaints, including Protection Officers and registered service providers, though the implementation of this structure has been uneven at best across different states.

On the criminal side, the provisions dealing with cruelty by husbands and relatives have been carried forward into the Bharatiya Nyaya Sanhita, 2023²³ which replaces the Indian Penal Code. The Supreme Court's decision in *Arnesh Kumar v State of Bihar*²⁴ sought to prevent the misuse of these provisions while preserving their protective function, reflecting the judiciary's awareness of the need to balance the rights of accused persons with those of genuine victims. Despite this legislative architecture, however, the National Crime Records Bureau data continues to reveal that crimes against women — including domestic violence — are reported at alarmingly high rates, suggesting that the law's deterrent effect remains limited.²⁵ This limited deterrent effect is compounded by consistently low conviction rates: 2022 data placed cruelty by husband or relatives among the offences with the lowest conviction rates of all crimes against women, at roughly seventeen percent, far below the conviction rates recorded for many other categories of crime against women. Such figures raise serious doubts about whether the criminal justice system, as currently administered, provides survivors with a realistic prospect of redress.²⁶

In *Laxmi v Union of India*,²⁷ the Supreme Court articulated the principle that the State bears a positive obligation not merely to prohibit violence against women but to take active steps for the rehabilitation of its victims. This principle, though enunciated in the context of acid attacks, applies with equal force to domestic violence and provides an important constitutional basis for demanding more from the State than mere legislative prohibition.

VI. Judicial Contribution: Key Case Laws

²³Bharatiya Nyaya Sanhita, 2023 (Act 45 of 2023), Sections 85 and 86 (corresponding to Section 498A, Indian Penal Code, 1860).

²⁴*Arnesh Kumar v State of Bihar*, (2014) 8 SCC 273 (Supreme Court of India).

²⁵National Crime Records Bureau (NCRB), *Crime in India 2022* (Ministry of Home Affairs, Government of India, 2023).

²⁶Home Office (UK), *Country Policy and Information Note: Women Fearing Gender-Based Violence, India* (December 2025) <<https://www.gov.uk/government/publications/india-country-policy-and-information-notes/country-policy-and-information-note-women-fearing-gender-based-violence-india-august-2025-accessible>> accessed 2 July 2026.

²⁷*Laxmi v Union of India*, (2014) 4 SCC 427 (Supreme Court of India).

The courts have, over time, done significant work in expanding the protective reach of domestic violence law and in giving content to the rights of survivors. A few decisions deserve particular attention.

The Supreme Court's decision in *Indra Sarma v V.K.V. Sarma*²⁸ was a landmark in its recognition that the protection of the 2005 Act extends to women in live-in relationships. The Court's reasoning was straightforward but important: the purpose of the Act is to protect women from abuse within domestic relationships, and that purpose cannot be defeated by the absence of a formal marriage certificate. This decision reflected a willingness on the part of the Court to look past legal form to social reality — a willingness that is essential in any serious engagement with the problem of domestic violence.

In *Hiral P. Harsora v Kusum Narottamdas Harsora*,²⁹ the Supreme Court corrected a significant limitation in the earlier reading of the Act. By holding that the term 'respondent' in the Act could not be confined to adult male members of a household, the Court acknowledged what survivors and practitioners had long known: that violence against women within families is frequently perpetrated or facilitated by female relatives as well as male ones, and that the law must be broad enough to address this reality.

*Vishaka v State of Rajasthan*³⁰ remains one of the most important constitutional precedents for the protection of women's rights in India, even though its immediate subject matter was workplace sexual harassment rather than domestic violence. The Court's articulation of the State's positive obligations under international human rights law and the constitutional guarantee of dignity has since informed a broad range of judicial decisions dealing with violence against women, and continues to provide an important normative foundation for the development of domestic violence law.

VII. Suggestions for Reform

It would be tempting, having surveyed the legal framework, to conclude that India has done enough. After all, the 2005 Act exists, the *Bharatiya Nyaya Sanhita* carries forward criminal

²⁸*Indra Sarma v V.K.V. Sarma*, (2013) 15 SCC 755 (Supreme Court of India).

²⁹*Hiral P. Harsora v Kusum Narottamdas Harsora*, (2016) 10 SCC 165 (Supreme Court of India).

³⁰*Vishaka v State of Rajasthan*, AIR 1997 SC 3011 (Supreme Court of India).

protections, and the courts have shown a reasonable degree of sensitivity to survivors' rights. But a law's existence is not the same as its effectiveness, and the evidence of what domestic violence survivors actually experience in the years after the abuse suggests that the current framework falls well short of what is needed.

What is most obviously missing is a serious, sustained commitment to rehabilitation. The 2005 Act is oriented, almost entirely, towards immediate protection — stopping the violence, securing the residence, obtaining compensation. There is very little in the law that addresses what happens next: how a survivor rebuilds her life, addresses her psychological trauma, regains economic independence, and reconnects with her community. A comprehensive rehabilitation framework, backed by statute and adequately funded, is urgently needed.³¹ The experience of the Sakhi One Stop Centre scheme, which is intended to provide integrated medical, legal, and psychological support to survivors under one roof, is instructive in this regard: less than half of the funds released by the Union government for the scheme were utilised between 2015 and 2022, reflecting the gap between the existence of rehabilitative infrastructure on paper and its effective delivery on the ground. Any future rehabilitation framework will therefore need to address not only funding levels but also the administrative and coordination failures that have historically limited the reach of existing schemes.³²

The institutional infrastructure of the 2005 Act also requires serious strengthening. Protection Officers are frequently undertrained, under-resourced, and subject to pressures that compromise their independence. The Law Commission has previously noted the inadequacy of the institutional response to domestic violence,³³ and the situation does not appear to have improved significantly since. A Protection Officer who cannot provide effective support to a survivor is worse than useless — she creates the illusion of a safety net where none exists. Field-based assessments of the Act's implementation have found that many Protection Officers hold the post only as an additional charge alongside unrelated departmental duties, lack dedicated office space or transport, and

³¹Ministry of Women and Child Development, Government of India, Scheme for Ujjawala: A Comprehensive Scheme for Prevention of Trafficking and Rescue, Rehabilitation and Re-Integration of Victims of Trafficking (2016).

³² Scroll.in, 'Government-Run Domestic Violence Centres Are Playing a Crucial Role but Need Better Funding, Support' (Scroll.in, 22 May 2023) <<https://scroll.in/article/1048622/government-run-domestic-violence-centres-are-playing-a-crucial-role-but-need-better-funding-support>> accessed 2 July 2026.

³³Law Commission of India, One Hundred Seventy-Second Report on the Review of Rape Laws (March 2000).

receive little or no specialised training in handling cases of domestic violence. Without dedicated staffing and adequate infrastructure, the institutional promise of the 2005 Act risks remaining largely theoretical for the survivors who most need it.³⁴

Economic empowerment must be treated as integral to any serious anti-domestic violence strategy, not as an optional add-on. Survivors should have prioritised access to vocational training, government employment schemes, and microfinance programmes. Monetary relief orders under the 2005 Act should be made easier to obtain and enforce. Without economic independence, the choice to leave an abusive relationship will remain, for many women, no choice at all.

The intergenerational dimension of domestic violence also demands greater policy attention. Children who have grown up in violent households need dedicated counselling and support, not just for their own wellbeing, but because the failure to address their trauma today is likely to produce the next generation of abusers and victims. Schools, child welfare services, and community organisations all have a role to play here, but they need training, resources, and coordination to play it effectively.

Finally, and perhaps most fundamentally, the culture of silence and acceptance that surrounds domestic violence in India must be actively challenged. Legislative reform and judicial creativity can only go so far. The deeper work of change must happen in homes, schools, religious institutions, and communities — through sustained, well-funded awareness campaigns and education programmes that challenge patriarchal norms at their root.

VIII. Conclusion

Domestic violence is not a problem that ends when the violence stops. For the women who have lived through it — sometimes for years, sometimes for decades — the experience leaves marks that no court order and no legislative provision has yet found a way to fully address. The psychological wounds, the physical damage, the economic ruin, the social isolation: these are not incidental consequences of domestic violence. They are its essence. And they are the measure by which any legal or policy response must ultimately be judged.

³⁴ Oxfam India, Implementing the PWDVA: Safeguarding Women from Domestic Violence (Oxfam India Policy Brief, October 2015) <https://www.oxfamindia.org/sites/default/files/PB-Implementing-PWDVA-Safeguarding-Women-from-Domestic-Violence-261015-ENG_0.pdf> accessed 2 July 2026.

India has built, over the past two decades, a legal framework for responding to domestic violence that is, by the standards of many comparable jurisdictions, reasonably well-developed. The Protection of Women from Domestic Violence Act, 2005, the criminal law provisions now housed in the Bharatiya Nyaya Sanhita, 2023, and the body of Supreme Court jurisprudence that has grown up around both — these represent real achievements, the product of decades of advocacy, litigation, and legislative effort. But they are not enough. They were not designed to address the long-term consequences of domestic violence, and they do not.

What is needed, and what this paper has argued for, is a fundamental reorientation of the legal and policy response — away from a narrow focus on immediate protection and towards a broader commitment to genuine recovery. Recovery from the trauma of violence. Recovery of economic independence. Recovery of social connection. Recovery of the dignity that domestic violence so systematically strips away. Until that reorientation happens, the law will continue to offer survivors something that looks, from a distance, like help — but feels, to those who need it most, like very little at all.

References

A. Cases

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

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

Indra Sarma v V.K.V. Sarma, (2013) 15 SCC 755 (Supreme Court of India).

Laxmi v Union of India, (2014) 4 SCC 427 (Supreme Court of India).

Savita Samvedi v Union of India, AIR 1996 SC 3282 (Supreme Court of India).

SR Batra v Taruna Batra, (2007) 3 SCC 169 (Supreme Court of India).

Vishaka v State of Rajasthan, AIR 1997 SC 3011 (Supreme Court of India).

B. Statutes and Constitutional Provisions

Bharatiya Nyaya Sanhita, 2023 (Act 45 of 2023).

Constitution of India 1950, Articles 14 and 21.

Indian Penal Code, 1860 (Act 45 of 1860), Section 498A.

Protection of Women from Domestic Violence Act, 2005 (Act 43 of 2005).

C. Books and Articles

Giri V. Mohini, Domestic Violence in India: A Summary Report of Three Studies (International Centre for Research on Women, New Delhi, 2000).

Herman Judith, Trauma and Recovery: The Aftermath of Violence (Basic Books, New York, 1992).

Walker Lenore, The Battered Woman Syndrome (Springer Publishing, New York, 3rd edn, 2009).

D. Reports and Official Documents

Domestic Violence Intervention Programme (DVIP), Breaking the Cycle: Intergenerational Impact of Domestic Violence (DVIP Publications, London, 2020).

Law Commission of India, One Hundred Seventy-Second Report on the Review of Rape Laws (March 2000).

Ministry of Women and Child Development, Government of India, Scheme for Ujjawala: A Comprehensive Scheme for Prevention of Trafficking and Rescue, Rehabilitation and Re-Integration of Victims of Trafficking (2016).

National Crime Records Bureau (NCRB), Crime in India 2022 (Ministry of Home Affairs, Government of India, 2023).

National Family Health Survey-5 (NFHS-5), 2019-21 (Ministry of Health and Family Welfare, Government of India, 2022).

Planning Commission of India, Report of the Working Group on Women's Agency and Empowerment for the Twelfth Five Year Plan 2012-17 (Government of India, 2011).

World Health Organization, *Violence Against Women: Prevalence Estimates 2018* (WHO Press, Geneva, 2021).



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