

INDEX OF CASE LAWS ON PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT, 2005



**Uttarakhand Judicial and Legal
Academy
Ghorakhal Road, Bhowali
Nainital, Uttarakhand - 263132**

S No	Case Title and Citation	Law Point
1	Indra Sarma v. V.K.V. Sarma (2013) 15 SCC 755	Purpose of DV Act Provides civil law remedy to protect women from domestic violence and to prevent its occurrence in society.
2	Hiral P. Harsora v. Kusum Narottamdas Harsora (2016) 10 SCC 165	Respondent - Judicial Interpretation 'Adult male' term declared unconstitutional and deleted. Female relatives included as respondents; no restrictive male-only interpretation of 'relative'.
3	Sandhya Manoj Wankhade v. Manoj Bhimrao Wankhade (2011) 3 SCC 650	Inclusion of Female Relatives in term Respondent Legislature never intended to exclude female relatives. Though 'female' is not used in Section 2(q), no restrictive meaning can be given to 'relative'.
4	Hiral P. Harsora v. Kusum Narottamdas Harsora (2016) 10 SCC 165	Proceedings against minor person in the Domestic Violence Act maintainability Respondent means any person in domestic relationship. 'Adult' cannot stultify orders; even non-adults aiding domestic violence may be covered.
5	Prabha Tyagi v. Kamlesh Devi (2022) 8 SCC 90	Whether Domestic Incident Report (DIR) is mandatory DIR is not mandatory when the aggrieved person files directly before the Magistrate.
6	D. Velusamy v. D. Patchaiammal (2010) 10 SCC 469	Relationship in the Nature of Marriage Requires voluntary cohabitation, public recognition, and shared household; not all live-in relationships qualify.
7	Indra Sarma v. V.K.V. Sarma (2013) 15 SCC 755	Live-in Relationship Guidelines Guidelines under Section 2(f) are illustrative, not exhaustive.
8	Satish Chandra Ahuja v. Sneha Ahuja AIR 2020 SC 5397	Meaning of Shared Household Includes household owned by husband or relatives where aggrieved woman lived.
9	Indra Sarma v. V.K.V. Sarma (2013) 15 SCC 755	Scope of Chapter IV Chapter IV is the heart and soul of the Act providing various reliefs.
10	V.D. Bhanot v. Savita Bhanot (2012) 3 SCC 183	Past Shared Household Cases Applications maintainable even if woman no longer resides or violence predated the Act.

11	Krishna Bhattacharjee v. Sarathi Choudhury (2016) 2 SCC 705	No Prescribed Time Limitation Section 12 application not barred by limitation; continuing offence applies.
12	Shyamlal Devda v. Parimala (2020) 3 SCC 14	Territorial Jurisdiction Petition can be filed where aggrieved resides, works or carries business.
13	Satish Chander Ahuja v. Sneha Ahuja (2021) 1 SCC 414	Meaning of expression 'at any stage has lived' Refers to present/recent residence; not every house ever lived in becomes shared household.
14	Jaidev Rajnikant Shroff v. Poonam Jaidev Shroff (2022) 1 SCC 683	Alternate equivalent accommodation 'Similar' accommodation need not be identical but should provide comparable comfort.
15	Samir Vidyasagar Bhardwaj v. Nandita Samir Bhardwaj (2017) 14 SCC 583	Removal of spouse from shared household Magistrate may order removal upon finding domestic violence.
16	S. Vanitha v. Deputy Commissioner (2021) 15 SCC 730	Residence order and Senior Citizens Act Right to residence is not absolute; courts must balance rights and provide alternate accommodation where appropriate.
17	Krishna Bhattacharjee v. Sarathi Choudhury (2016) 2 SCC 705	Courts to sensitively examine grievances Courts should examine merits carefully and adopt a sensitive approach.
18	Rajnesh v. Neha & Anr. (2021) 2 SCC 324	Directions on Enforcement of Maintenance Orders Maintenance orders enforceable like civil decrees; contempt available for wilful disobedience.
19	Kunapareddy v. Kunapareddy Swarna (2016) 11 SCC 774	Nature of Proceedings Proceedings under Sec. 28 are criminal; reliefs civil; amendment permissible.
20	Pramodini Vijay Fernandes v. Vijay Fernandes, 2010 SCC OnLine Bom 246	Sec. 31 DV Act Complaint Section 31 complaint should be tried by same Magistrate without affecting main proceedings.
