

# Comprehensive Analysis of Offences Related to Marriage

Harsa Akhtar

BBA LLB 3<sup>rd</sup> Semester, Amity Law School, Amity University Patna, Bihar, India

**Abstract:** *Researching the application of law and Cases Related to Offences Related to marriage under indian penal code 1860. Section 493 to 498A of the Indian Penal Code, 1860 deals with the offences relating to marriage.*

**Keywords:** IPC 1860, Hindu Marriage Act, Sarla Mudgal v. Union of India

## 1. Introduction

Offences relating to marriage within the IPC are listed between Section 493-498A of the Indian Penal Code. These sections serve as a legal safeguard against actions that can cause harm, deception, or injustice within the institution of marriage. By defining and punishing such offences, the law aims to maintain the integrity of marriages and promote fairness, trust, and equality between spouses. This article will analyze Sections 493-495 of the Indian Penal Code and try to understand better the offences related to marriage.

Offences relating to marriage can be considered under the following four heads:

- 1) Mock marriages (Sec.493 and 496)
- 2) Bigamy (Sec. 494, 495,496)
- 3) Adultery (Sec. 497)
- 4) Criminal elopement (Sec. 498)
- 5) Cruelty by husband or relatives of husband (Sec. 498A)

## 2. Research Methodology

For the purposes of this research paper, the researcher will primarily focus on analysing and studying the various application of laws under IPC 1860 and its uses with the help of case laws

### Questions for research

- What Are The Ingredients Required To Constitute Mock Marriages?
- What Are The Punishment Given Under Ipc For Bigamy?
- What Elements And Substances Are Required To Prove Adultery?

### Data Sources

Only data gathered from secondary sources was used in this article. Books, thesis reports, seminar papers, articles, internet websites, published books, legal journals, and newspapers were used as secondary data sources

### Mock Marriages

There are two provisions related to mock or invalid marriages they are:

**Section 493-** Cohabitation or sexual intercourse caused by a man deceitfully inducing a belief of lawful marriage.

- When a man dishonestly and fraudulently makes a woman believe that she is lawfully married to him and to cohabit with him or have sexual intercourse with him in that belief shall be punished.
- The commission of this offence is possibly when the woman is at least sixteen years of age.
- If she is below that age, her consent is immaterial and cohabitation with her is rape.
- If she is above that age, the accused may induce her to believe him as her lawful married husband.

### Classification of Offence

Punishment—Imprisonment for 10 years and fine—Non-cognizable—Non-bailable— Triable by Magistrate of the first class—Non-compoundable.

### Ingredients

The section contains two ingredients:-

- 1) Deceit causing a false belief in the existence of a lawful marriage.
- 2) Cohabitation or sexual intercourse with the person causing such belief.

### Proof of marriage:

Section 493 IPC, 1860 do not presuppose a marriage between the accused and the victim necessarily by following a ritual or marriage by customary ceremony. What has been clearly laid down and emphasised is that there should be an inducement of belief in the woman that she is lawfully married to the accused/ appellant and the inducement of belief of a lawful marriage cannot be interpreted so as to mean or infer that the marriage necessarily had to be in accordance with any custom or ritual or under the Special Marriage Act, 1954. If the evidence on record indicate inducement of a belief in any manner in the woman which cannot possibly be enlisted but from which it can reasonably be inferred by ordinary prudence that she is a lawfully married wife of the man accused of an offence under section 493 IPC, 1860 the same will have to be treated as sufficient material to bring home the guilt under section 493 IPC, 1860.

### And Section 496 of IPC reads as:

Marriage ceremony fraudulently gone through without lawful marriage.— Whoever, dishonestly or with a fraudulent intention, goes through the ceremony of being married, knowing that he is not thereby lawfully married,

shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

### Classification of Offence

Punishment—Imprisonment for 7 years and fine—Non-cognizable—Bailable— Triable by Magistrate of the first class—Non-compoundable.

It applies to cases in which a ceremony is gone through which would in no case constitute a marriage, and in which one of the parties is deceived by the other into the belief that it does constitute a marriage, or in which effect is sought to be given by the proceeding to some collateral fraudulent purpose. Where the ceremony gone through does, but for the previous marriage, constitutes a valid marriage, and both parties are aware of the circumstances of the previous marriage, s. 494 applies.

### Analysis:

The essential elements of both the sections i.e. 493 and 496, is that the accused should have practiced deception on the woman, as a consequence of which she is led to believe that she is lawfully married to him, though in reality she is not. In s 493, the word used is 'deceit' and in s 496, the words 'dishonestly' and 'fraudulent intention' have been used. Basically both the sections denote the fact that the woman is cheated by the man into believing that she is legally wedded to him, whereas the man is fully aware that the same is not true. The deceit and fraudulent intention should exist at the time of the marriage. (KAN Subrahmanyam v. J Ramalakshmi (1971) Mad LJ(Cr) 604.)

Thus mens rea is an essential element of an offence under this section. The two sections are somewhat alike: the difference appears to be that under section.493, deception is requisite on the part of the man, and cohabitation or sexual intercourse consequent on such deception. The offence under section 496 requires no deception, cohabitation, or sexual intercourse as a sine qua non, but a dishonest or fraudulent abuse of the marriage ceremony. In the latter case the offence can be committed by a man or woman, in the former, only by a man.

### Bigamy

- It means marrying again during the lifetime of husband or wife.
- It is an offence under Section 494.
- Whoever having a husband or wife living enters into another marriage which is void by reason of it taking place during the lifetime of the such husband or wife is guilty of bigamy.
- If the first marriage is concealed from the person with whom the second marriage is contracted, imprisonment for ten years and fine (Sec. 495). In other cases, imprisonment for seven years and fine (Sec.494).

The essential requirements are:

- a) The accused must have been already married.
- b) Such marriage must be a valid marriage
- c) The first marriage is in existence at the time of second marriage iv.
- d) The person whom he or she has married must be living

- e) The accused must marry again another person.

Exceptions: there are two exceptions to Section 494 by which the second marriage will not be an offence they are:

- a) The first marriage has been declared void by a competent court.
- b) Where the former spouse has been continually absent and not heard of being alive for 7 years. Within that time the real state of facts must be disclosed to the person with whom the second marriage is contracted.
  - These exceptions are used by the accused as defenses in order to escape a conviction on a charge of bigamy.
  - If the first marriage is void marriage then both the parties to the marriage are free to go through second marriage.
  - *In Santhosh Kumari v. Surjith Singh*, 1990 Cri.L. J 1012, the accused wanted to marry another woman with the permission of his first wife. Both the wife and husband applied for the permission before the District Court. The Court granted the permission accordingly. The proposed bride came to know about it and appealed before the High Court. It was held that no Court is authorized to permit second marriage without proper legal divorce. The application for the consent of the first wife is immaterial.

Therefore the permission of the District Court was quashed.

Section 494 IPC reads as Marrying again during lifetime of husband or wife.— Whoever, having a husband or wife living, marries in any case in which such marriage is void by reason of its taking place during the life of such husband or wife, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

### Classification of offence

Punishment—Imprisonment for 7 years and fine—Non-cognizable—Bailable— Triable by Magistrate of the first class—Compoundable by the husband or wife of the person so marrying with the permission of the court.

### Ingredients

Section 494 of IPC requires the following ingredients to be satisfied:

- a) The accused must have contracted first marriage;
- b) He must have married again;
- c) The first marriage must be subsisting; and (iv) the spouse must be living.

### 3. Analysis of the Section

The section contemplates that the offender's husband or wife, as the case may be, must be living and the offender must marry in any case in which such marriage is void because of the reason that it has taken place during the life of such husband or wife, as the case may be.

There is an exception attached to the section which states that this section does not extend to any person whose marriage with such husband or wife has been declared void by a court of competent jurisdiction. It also does not extend

to any person who contracts a marriage during the life of a former husband or wife, if at the time of the subsequent marriage such husband or wife shall have been continually absent from such person for the space of seven years, and shall not have been heard of by such person as being alive within those seven years, provided the person contracting such subsequent marriage shall, before such marriage takes place, inform the person with whom such marriage is contracted of the real state of facts so far as the same are known to him or her.

In other words, this section is inapplicable to two cases. First, it does not apply to a person whose marriage with such husband or wife, as the case may be, has been declared void by a competent court. Secondly, it does not apply to a person who marries when the husband or the wife, as the case may be, is alive but has been continually absent from such person for at least seven years and has not been heard of by him as being alive during that time.

This section does not apply to Mohammedan men. But it does apply to Mohammedan women. By virtue of section 17, Hindu Marriage Act, 1955 it does apply to all Hindus whose marriage has been solemnised after the coming into existence of the Hindu Marriage Act, 1955. It is applicable to Christians by virtue of Act XV of 1872, to Parsis by virtue of Act III of 1936, and to all whose marriages have been solemnised under the Special Marriage Act, 1954.

It is obvious that to hold a person guilty under this section it is necessary to prove that the previous marriage of the accused was valid and subsisting. Naturally, in the event of the previous marriage being illegal and thus non-existent, contracting another marriage would not bring the accused within the purview of this section.

This is clear from the words 'whoever marries' which means whoever marries validly or whoever marries and whose marriage is a valid one. If there is no valid marriage there is no marriage in the eye of law. Where the essential conditions of a valid marriage have not been fulfilled, such as 'homa' and 'saptapadi' in the case of Hindus the second marriage is not a valid marriage, and consequently the charge of bigamy against the accused must fail.

The mere admission of the second marriage by an accused is not enough, it must be established that the essential conditions of a valid marriage had been gone through. Mere registration of a marriage at the caste organisation, where such a practice is in vogue, is not enough to prove the existence of a second marriage. And a certificate of marriage obtained under section 16, Special Marriage Act, 1954 is also not a proof of marriage.

Where the complainant produced oral evidence that 'saptapadi' and 'kusundika' (i.e., applying vermilion at the place of parting of hair on the head of the bride) had been gone through along with 'homa' in respect of the first marriage, and certain documentary evidence in the form of letters by the husband to his wife and by the husband's father to the wife's mother were also adduced, there could be no doubt as to the validity of the first marriage.

But where the validity of the first marriage could not be established through evidence, it was not necessary to look into the aspect of the second marriage for the purposes of bigamy. The Kerala High Court has held that where it is established that the accused at the time of second marriage honestly and genuinely believed that the tie of his first marriage had been severed by a deed of divorce between the parties to the first marriage, and the parties under it had highlighted that they were living separately and it was impossible for them to live together and that they resolved to terminate their marriage and were free to marry again, the accused deserved benefit of doubt.

Where the lower court without granting a divorce passed an order relieving the physically weak wife from the burden of the sex demands of the husband and also permitted him, at the request of the wife, to have another wife, it was held that the decision of the court being wrong was liable to be set aside.

It has been held by the Supreme Court that where a spouse contracts a second marriage while the first marriage is still subsisting the spouse would be guilty of bigamy under section 494, Indian Penal Code if it is proved that the second marriage was a valid one in the sense that the necessary ceremonies required by law or by custom have been actually performed.

The voidness of the marriage under section 17 of the Hindu Marriage Act, 1955 is in fact one of the essential ingredients of section 494 of the Code because the second marriage would become void only because of the provisions of section 17 of the Hindu Marriage Act.

What section 17 of the Hindu Marriage Act contemplates is that the second marriage must be according to the ceremonies required by law. If the marriage is void its voidness would only lead to civil consequences arising from such marriage. Section 17 of the Hindu Marriage Act has to be read in harmony and conjunction with section 494 of the Code.

Therefore, merely because the second marriage even if performed by performing all the essential ceremonies turns out to be void by virtue of section 17 of the Hindu Marriage Act, 1955, it cannot be said that the accused would not be guilty under section 494 of the Code.

Proceedings under section 494 do not abate necessarily with the death of the complainant and the court in its wisdom is free to allow continuation of the proceedings by another person. A second marriage performed before the Hindu Marriage Act, 1955 came into existence does not attract penalty under section 494 of the Code.

In *Urmila v. State* it was alleged that the accused went through a second marriage according to the Arya Samaj custom for which three and a half rounds of sacred fire are enough to complete a marriage. Saptapadi was not performed. The Supreme Court held that the marriage was not complete and thus there was no liability for bigamy.

In *Gomathi v. Vijayraghvan* the question of paternity of a child born out of second marriage was involved. The second wife denied the second marriage and claimed to be a virgin. The first wife moved an application requesting the court to direct the husband, second wife and child to undergo blood test.

It was held that under section 494 the party has only to prove that during the subsistence of the first marriage the second marriage had taken place and its essential ceremonies were performed, and thus dismissal of the application was proper. In this case the Supreme Court's judgment in *Gouthem Kundu v. State of West Bengal* was relied on in which the appellant was married to the second respondent and after living together for some time the wife went to reside with her parents.

Some four months later she conceived. On return to her matrimonial home she was meted out cruel treatment by her husband and other family members because of the pregnancy. Ultimately she returned to her parental home and gave birth to a female child. She filed a petition under section 125, Code of Criminal Procedure, 1973 for maintenance.

The appellant moved a revision before the High Court against the order of maintenance. During the pendency of the revision petition he came forward with an application praying for the blood test of the second respondent and the child to prove that he was not the father of the child as according to him if that could be established he would not be liable to pay maintenance.

The Supreme Court rejected the application saying that no person can be compelled to give sample of blood for analysis against his or her will and no adverse inference can be drawn against him or her for this refusal. Also, the expression 'conclusive proof in section 112, Indian Evidence Act, 1872 must be understood by its definition in section 4 of the Act.

In *P. Satyanarayana v. U. P. Mallaiah*, a wife deserted her husband. Ten years after the desertion the husband married a second time. The Supreme Court ruled that the prosecution was not absolved from the burden to prove that the second wife was taken after solemnization of due ceremonies of a Hindu marriage.

#### **In *Sarla Mudgal v. Union of India* the Supreme**

Court held that the expression 'void' in section 494 has been used in the wider sense. A marriage which is in violation of law would be void in terms of the expression used under section 494. A Hindu marriage solemnised under the Hindu Marriage Act, 1955, can only be dissolved on any of the grounds specified under the said Act. Till the time a Hindu marriage is dissolved under the Act none of the spouse can contract a second marriage. Converting to Islam and marrying again would not by itself dissolve the Hindu marriage under the Act.

The second marriage of a Hindu husband after his conversion to Islam would, therefore, be in violation of the Act and as void in terms of section 494. Any act which is in

violation of the mandatory provisions of the law is *per se* void, and the apostate husband would be guilty of the offence under section 494 of the Code as all the four ingredients of this section are satisfied in the case.

#### **In *S. Radhika Sameena v. SHO, Habeebnagar***

Police Station, Hyderabad<sup>3</sup> it has been held that when a Muslim man, married under the Special Marriage Act, 1954, entered into a second marriage under Muslim Law, he would be liable to be prosecuted for bigamy under section 494 of the Code.

#### **In *Lily Thomas v. Union of India*, the Supreme**

Court held that the 1995 decision of the Supreme Court in *Sarla Mudgal v. Union of India*<sup>4</sup> holding a Hindu husband who had after conversion to Islam contracted second marriage dissolving his first marriage guilty under section 494 does not create any new offence, need not be given prospective operation.

It does not violate freedom of religion guaranteed by Article 26 and right to life and personal liberty guaranteed by Article 21, and thus the review petition on ground of violation of Article 20(1) stands dismissed. It cannot be said that the second marriage by a convert male Muslim has been made an offence only by judicial pronouncement.

The court has only interpreted the existing law which was in force and so cannot be prospective from the date of judgment because concededly the court does not legislate but only gives an interpretation to an existing law. The procedure established by law under Article 21 means the law prescribed by the legislature. *Sarla Mudgal* has neither changed the procedure nor created any law for prosecution of persons sought to be proceeded with under section 494.

It would, therefore, be doing injustice to Islamic law to urge that the convert is entitled to practise bigamy notwithstanding the continuance of his marriage under the law to which he belonged before conversion. The question of status of second wife and children born out of wedlock was not gone into.

The Supreme Court had not issued any direction for codification of common civil code.

Despite his conversion he would be guilty of offence under section 17 of the Hindu Marriage Act, 1955 read with section 494 of the Indian Penal Code since mere conversion does not automatically dissolve his first marriage.

Under the Mohammedan law a child given in marriage by any person other than the father or the grandfather has the option to ratify the marriage or repudiate it on attaining puberty, *khyar-ul-bulugh*, and there is no difference whether the child given in marriage be a boy or a girl.

A Mohammedan girl whose father was dead was given in marriage by her mother to a man before she had attained puberty. The man was imprisoned in connection with a crime he had committed and the marriage was not consummated. On attaining puberty the girl married another



man. She and this man were held not guilty of bigamy and abetment of bigamy respectively.

The repudiation may be express or implied, and marrying another man on attaining puberty is an implied repudiation. However, a unilateral repudiation of marriage by a Mohammedan woman by 'faskh' was held by the Kerala High Court to have no legal sanction and a second marriage by her would amount to bigamy. The Calcutta High Court held that a second marriage contracted by a Mohammedan woman during the period of her 'iddat' does not entail liability under section 494 of the Code. A Mohammedan marriage came to an end immediately after either of the parties renounced Islam.

But section 4 of the Dissolution of Muslim

Marriage Act, 1939 says that renunciation of Islam by a born Muslim married woman or her conversion into another religion does not dissolve the marriage automatically but under section 2 of the Act she has a right to obtain a decree of dissolution under any of the grounds mentioned therein.

Where a marriage is solemnized under the provisions of the Special Marriage Act, 1954, and thereafter both the parties convert to Islam, the marriage cannot come to an end according to the Mohammedan law because the marriage itself had not taken place under that law. Such marriage can be dissolved under the provisions of the Indian Divorce Act. The position does not change if only one of the parties to the marriage alone gets converted to Islam.

The Calcutta High Court reviewed all earlier case law and decided that the rule of Mohammedan law that if one of the parties to the marriage adopted Muslim faith in a foreign country the marriage would automatically stand dissolved if the other spouse did not adopt the same faith before the completion of three menstrual periods did not apply to non-Muslims of a country whose State religion was not Islam like India.

Thus, a Hindu wife who embraced Islam since her marriage but her husband did not do so even though three menstrual periods had been over since the conversion, was not entitled to a declaration that the marriage stood dissolved under the Mohammedan law. Under the Hindu law the apostasy of one of the parties to the marriage did not dissolve the marriage.

Where a Christian entered into a second marriage according to Hindu rites, the second marriage would not be valid in the eye of law and he would be held not guilty of bigamy under section 494. Where marriage of the accused with the complainant was dissolved by a decree of divorce of a district court in Sweden and no appeal was preferred by the complainant, marriage of the accused with another lady after expiry of the period of appeal does not amount to bigamy.

#### Custom as a defence

The Calcutta High Court upheld a caste custom which allowed wife to have a 'nikah' or 'sagai' marriage after she had been left by her first husband, and this would not amount to bigamy. The Bombay High Court gave

importance to a caste custom which permitted a husband to divorce his wife for a sufficient reason.

Where a man belonging to a particular caste executed a deed of divorce to his wife, it was held that the deed was proved but since it had not been executed for a sufficient reason, the parties entering into subsequent marriage would be guilty of bigamy. The Madras High Court held the view that the courts must allow evidence of such custom.

The law must now be understood in the light of section 29 (2) of the Hindu Marriage Act, 1955. Where a deed of divorce between the parties existed, it was held that the prosecution is under a duty to establish that the marriage could not be dissolved by a customary right of divorce.

**Section 495 IPC:** Same offence with concealment of former marriage from person with whom subsequent marriage is contracted.—

Whoever commits the offence defined in the last preceding section having concealed from the person with whom the subsequent marriage is contracted, the fact of the former marriage, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

#### Classification of offence

Punishment—Imprisonment for 10 years and fine—Non-cognizable—Bailable—Triable by Magistrate of the first class—Non-compoundable.

#### Comment

The offence mentioned in section 495 IPC, 1860 is an extension of section 494 IPC, 1860 and also is an aggravated form of bigamy provided in section 494 IPC, 1860.

#### Adultery

**As per Section 497 :** a person is guilty of adultery if he:

- a) Has sexual intercourse with a person
- b) Who is and whom he knows or has reason to believe to be the wife of another man
- c) Without the consent or connivance of that man
- d) And such sexual intercourse not amounting to the offence of rape
- e) Shall be punished with imprisonment or either description for a term which may extend to 5 years or with fine or with both.
  - Woman is not punished in adultery, only the male partner in adultery is punished. The woman is exempted from punishment even as an abettor.
  - The validity of this section was raised several times before the courts in the past and the courts including the Supreme Court held Section 497 to be valid. But in the latest case, the Supreme Court bench headed by Chief Justice Dipak Misra called the adultery law "anti-women" while hearing a petition that challenged Section 497 for being anti-men and giving leverage to women.
  - *Joseph Shine v. Union of India*, Joseph shine a non-resident Keralite, filed public interest litigation under article 32, of the Constitution. The petition challenged the Constitutionality of the offence of Adultery under section 497., a 5 judge bench of

supreme Court Animously stuck down section 497 of Indian Penal Code as being violative of Article 14,15, and 21 of Constitution. And held that Equality is the governing principle of a system. Husband is not the master of the wife. Women must be treated with equality. Any discrimination shall invite the wrath of Constitution. Section 497 IPC which deals with Adultery is absolutely manifestly arbitrary.

- Hence, Mere adultery can't be a crime unless it attracts the scope of Section 306 (abetment to suicide) of the IPC.
- Adultery can be ground for civil issues including dissolution of marriage but it cannot be a criminal offence.

#### Criminal Elopement – Seduction

- 1) According to Section 498, taking or enticing any woman who is married or believed to be married, from any person having the care of her, with the intention that she may have illicit intercourse with any man constitutes the offence of seduction.
- 2) Punishment- Imprisonment up to 2 years or fine or both.
- 3) Essential ingredients are:
  - a) Taking or enticing away or concealing or detaining
  - b) Any woman who is or is known or believed to be the wife of any other man.
  - c) From that man or from any person having the care of her on behalf of that man.
  - d) With the intent that she may have illicit intercourse with any person.
- 4) Here also the wife is not punished as an abettor.
- 5) In *Emp. v. Mahiji Fula*, (1933) 35 Bom. L. R. 1046- court held that the word 'detains' means 'keeps back'. Keeping back need not necessarily be by physical force, it may be by persuasion, allurements or blandishment. There should be something in the nature of control or influence which can be properly be described as a keeping back of the woman. Proof of some kind of persuasion is necessary.

#### Matrimonial cruelty

- a) Cruelty to woman by the husband or his relatives is an offence under Section 498A.
- b) Punishment- Imprisonment up to 3 years and fine.
- c) Cruelty means
- d) i.e. any willful conduct which drives the woman-

To commit suicide, or

- To cause grave injury or danger to life, limb or health ii.harassment to the woman or her relatives to meet any unlawful demand for any property or valuable security.
- Such cruelty is called Matrimonial cruelty.
- In *Kalpna Srivastava v. Surendra* AIR 1985All. 253- "Cruelty" is not confined to physical cruelty. It includes as well mental cruelty.
- Section 113 of the Indian Evidence Act, 1872 provided that,
- If it was shown that soon before the death of the woman she was subjected to cruelty or harassment by a person in connection with demand for dowry, then it shall be presumed that such person who has harassed the woman had caused the death of the woman.
- Section 304B deals with dowry death, it provides that where the death of a woman is caused by any burns or

bodily injury or occurs otherwise than under normal circumstances within seven years of her marriage and it is shown that soon before her death she was subjected to cruelty or harassment by a person in connection with demand for dowry, such death shall be called 'dowry death', and such husband or relative shall be deemed to have caused her death.

#### 4. Conclusion

Matrimonial offences are multi-causal and multi-dimensional in nature. It is impossible to justly address them with a straitjacket method. It transcends beyond culture, and socioeconomic status. However, there definitely are underlying common factors. The rising cases of matrimonial offences against women have their roots deeply ingrained in indifference, and negligence that is primarily the result of general acceptance of men's superiority over women, which is evident from the gender specificity of the nature of these offences.

Among the various kind of offences against women prevalent today are the marital offences including bigamy, adultery, criminal elopement among others and the one that is probably the most common offence is cruelty. Over time, courts have broadened the ambit of the definition to include within it different instances. The provisions dealing with matrimonial felonies have been framed in a way that raises a presumption against the accused if certain minimum requirements are met.

Yet, there is still a long way to go for such laws to have optimal usage. There is still room for clarity in these laws, for clashing precedents to be done away with. It is imperative to do so, in dealing with these problems. Since the nature of these offences involves a major conflict of interests, they need to be dealt with in a way that there is a minimum **loss to the family and its associate factors**,

#### References

##### Books:

- [1] IPC KD GAUR
- [2] IPC RATANLAL AND DHIRAJLAL

##### Sites:

- [3] <https://lawbhoomi.com/offences-relating-to-marriage/>
- [4] <https://blog.ipleaders.in/analysis-offences-concerning-marriages-india/>
- [5] <https://www.writinglaw.com/chapter-xx-493-498-of-ipc-offences-relating-to-marriage/>

##### Cases:

- [6] *Emp. v. Mahiji Fula*, (1933) 35 Bom. L. R. 1046
- [7] *Joseph Shine v. Union of India*
- [8] *Lily Thomas v. Union of India*
- [9] *Santhosh Kumari v. Surjith Singh*, 1990 Cri.L. J 1012
- [10] *KAN Subrahmanyam v. J Ramalakshmi* (1971) Mad LJ(Cr) 604.