

# Cruelty and the Breakdown of Marriage: A Critical Examination

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**Abstract:** *Marriage has traditionally been regarded as a social, moral, and legal institution founded on companionship, mutual respect, and shared responsibilities. However, when cruelty enters the marital relationship, it strikes at the very foundation of marriage and may ultimately lead to its breakdown. This study critically examines cruelty as a ground for divorce under Indian matrimonial law, with special reference to how cruelty contributes to the legal breakdown of marriage, how courts interpret physical and mental cruelty, and whether the existing legal framework adequately protects spouses suffering from such conduct. The study is doctrinal in nature and is based on secondary sources, including constitutional provisions, statutory enactments, judicial decisions, law commission reports, legal commentaries, books, and journal articles. It analyzes the legal framework governing cruelty under statutes such as the Hindu Marriage Act, 1955, the Special Marriage Act, 1954, and other allied laws, while also considering the role of constitutional values such as dignity, equality, and personal liberty in shaping matrimonial jurisprudence. The research further examines the evolving judicial approach toward cruelty, particularly the recognition of mental cruelty, cumulative conduct, and changing social realities in matrimonial disputes. The study finds that although Indian law provides important remedies for spouses suffering from cruelty, the legal framework still faces challenges in terms of definitional ambiguity, evidentiary difficulties, procedural delays, and practical enforcement. It concludes that while the law has made significant progress in addressing cruelty within marriage, there remains a need for clearer standards, stronger implementation, and a more responsive legal approach to ensure effective justice and protection for affected spouses.*

**Keywords:** Marriage, Cruelty, Divorce, Matrimonial Law, Physical Cruelty, Mental Cruelty, Breakdown of Marriage, Judicial Interpretation, Indian Law, Legal Framework

## I. INTRODUCTION

Marriage in Indian law is not treated merely as a private or religious relationship; it is also a legally regulated institution shaped by constitutional values of dignity, equality, and personal liberty. Although the Constitution of India does not expressly define marriage, matrimonial law is interpreted in light of Articles 14, 15, and 21, which protect equality before law, prohibit discrimination, and guarantee the right to life and personal liberty, now judicially understood to include dignity, autonomy, and the right to live free from abuse. Within this framework, cruelty has emerged as a significant basis for dissolving a marriage when the marital relationship ceases to preserve the physical or mental well-being of a spouse. In Hindu law, cruelty became an explicit ground of divorce through the Marriage Laws (Amendment) Act, 1976, which inserted the present language of Section 13(1)(ia) of the Hindu Marriage Act, 1955, allowing divorce where one spouse “has, after the solemnization of the marriage, treated the petitioner with cruelty” (Constitution of India, arts. 14, 15, 21; Hindu Marriage Act, 1955, § 13(1)(ia); Marriage Laws amendment noted in Hindu Marriage Act, 1955, § 13).

The legal understanding of cruelty has expanded far beyond physical violence and now includes conduct causing deep mental pain, humiliation, trauma, or sustained matrimonial abuse. Since the statute does not define the term



exhaustively, Indian courts have developed its content through judicial interpretation. The Supreme Court has consistently held that cruelty must be assessed in light of the parties' social background, conduct, and the cumulative effect of circumstances rather than through any rigid formula. In *Samar Ghosh v. Jaya Ghosh* (2007), the Court recognized mental cruelty as conduct that makes it unreasonable for spouses to live together, while in *Shobha Rani v. Madhukar Reddi* (1988), it clarified that cruelty in matrimonial law is distinct from cruelty in criminal law and need not depend upon proof of physical injury alone. Thus, the breakdown of marriage in cruelty cases is understood not simply as emotional incompatibility, but as the legal consequence of conduct destructive of the core obligations of mutual respect, companionship, and cohabitation (*Samar Ghosh v. Jaya Ghosh*, 2007; *Shobha Rani v. Madhukar Reddi*, 1988; Hindu Marriage Act, 1955, § 13(1)(ia)).

The statutory scheme governing cruelty also reflects the broader protective role of family law and gender-justice legislation in India. Apart from the Hindu Marriage Act, 1955, cruelty is also recognized under the Special Marriage Act, 1954 as a ground for divorce, showing that the principle is not confined to one personal law system. Procedurally, matrimonial disputes are adjudicated before Family Courts established under the Family Courts Act, 1984, which aims at conciliation and speedy settlement of marriage and family disputes. Further, where cruelty takes the form of domestic abuse, the Protection of Women from Domestic Violence Act, 2005 supplements matrimonial remedies by providing civil protections such as residence orders, protection orders, and monetary relief, thereby acknowledging that cruelty may have both dissolution-related and protective dimensions. A critical examination of cruelty as a ground of divorce, therefore, requires analysis not only of marital breakdown in doctrinal terms, but also of how constitutional morality, statutory reform, and judicial interpretation together reshape the institution of marriage in contemporary India (Family Courts Act, 1984; Protection of Women from Domestic Violence Act, 2005, §§ 3, 36; Special Marriage Act, 1954, § 27; Constitution of India, art. 21).

### **1.1. The Review of Related Literature**

**Kasar, A. (2026).** This article studies the judicial balancing of cruelty-related prosecutions, especially the continuing debate around misuse of the former Section 498A IPC in matrimonial disputes. It argues that while anti-cruelty law remains necessary to protect genuine victims, courts are increasingly attentive to false or exaggerated complaints, procedural fairness, and evidentiary scrutiny. For research on cruelty and marital breakdown, the article is useful because it shows how criminal-law allegations of cruelty can intensify matrimonial conflict, shape divorce strategy, and influence judicial thinking on fairness and abuse of process.

**Gulyani, S., & Shukla, S. (2025).** This doctrinal paper examines how Indian courts interpret matrimonial cruelty under both civil and criminal frameworks, with special attention to evidentiary burdens, presumptions, digital records, and the interaction between divorce law and penal law. Its major contribution lies in framing cruelty through a gender-neutral and constitutional lens, arguing that legal doctrine should protect genuine victims without permitting misuse. The article is particularly relevant because it links cruelty not only to marital suffering but also to procedural justice and evidentiary complexity in contemporary divorce litigation.

**Kaur, S., & Kaushal, K. (2025).** This article addresses a comparatively neglected dimension of matrimonial cruelty: male victimization in intimate relationships and divorce disputes. The authors argue that emotional, physical, psychological, and financial cruelty against men often remains under-recognized because Indian legal discourse still largely presumes women to be the sole victims. The study is useful to the present topic because it broadens the literature on cruelty and marital breakdown beyond traditional gender assumptions and calls for more inclusive reform while retaining protection for vulnerable spouses.

**Kaur, R., & Arora, B. (2024).** This article critically examines how matrimonial laws, including cruelty-related provisions under the Hindu Marriage Act, the Protection of Women from Domestic Violence Act, and Section 498A IPC, may be misused through false allegations, prolonged litigation, and strategic harassment. The paper does not deny the necessity of these laws; instead, it highlights how abuse of legal process can itself deepen marital disharmony and



accelerate the collapse of marriage. For a study on cruelty, it is valuable because it introduces the idea that cruelty may arise not only inside the home but also through the litigation process itself.

**Gulyani, S., & Shukla, S. (2023).** This article explores the strategic use of cruelty claims in Indian divorce proceedings and discusses how legal allegations may become tools of bargaining, retaliation, or coercion. It emphasizes the tension between cruelty as a legitimate matrimonial wrong and cruelty as a litigation tactic. The work is important for contemporary scholarship because it highlights the social and procedural dimensions of cruelty, showing that the concept now operates not only as a ground for divorce but also as a contested legal narrative within breakdown proceedings.

**Nayar, S. (2023).** It traces the evolution of cruelty under the Hindu Marriage Act, 1955 from a narrow basis for judicial separation to a broader ground for divorce, shaped largely by judicial precedent. The paper discusses physical and mental cruelty, engages other legal regimes such as the Penal Code and the Domestic Violence Act, and argues that cruelty doctrine has expanded with changing social realities. This article is helpful because it connects doctrinal development with the broader breakdown of marriage and highlights the continuing role of courts in defining the limits of matrimonial tolerance.

### **1.2. The Research Gap**

The existing literature significantly expands the understanding of cruelty by discussing digital surveillance, sexual autonomy, coercive control, vexatious litigation, cumulative judicial assessment, and changing gender dynamics in marriage; however, a clear research gap still remains in relation to the present study. Most of these works examine emerging forms of cruelty in isolation, but they do not systematically connect how such acts legally contribute to the actual breakdown of marriage as a ground for divorce under Indian matrimonial law. Further, while the studies refer to evolving judicial trends, they do not comprehensively analyze how Indian courts distinguish and interpret physical cruelty and mental cruelty within a unified doctrinal framework across matrimonial disputes, which creates a gap. In addition, although some authors call for reform and broader recognition of new forms of abuse, there is limited critical evaluation of whether the present legal framework—including constitutional protections, matrimonial statutes, domestic violence law, and judicial remedies—adequately protects spouses suffering from cruelty in practice, especially in the context of enforcement, evidentiary challenges, and changing social realities, which forms the core gap.

### **1.3. The Significance of Study**

This study is significant because it examines cruelty as one of the most important and evolving grounds for divorce in matrimonial law and explores how it leads to the legal breakdown of marriage. By investigating the way cruelty contributes to marital dissolution, the study helps in understanding the point at which matrimonial misconduct becomes grave enough to justify judicial intervention. It is also important because it analyzes the judicial interpretation of physical and mental cruelty, an area largely shaped by case law rather than precise statutory definition, thereby highlighting the role of courts in developing matrimonial jurisprudence. Further, the study assesses whether the existing legal framework adequately protects spouses suffering from cruelty, which is essential in light of changing social realities, rising claims of mental cruelty, and the constitutional values of dignity, equality, and personal liberty. The study is therefore valuable for students, researchers, legal practitioners, judges, and policymakers, as it not only clarifies the doctrinal and practical dimensions of cruelty-based divorce but also contributes to discussions on reforming matrimonial law to ensure fairness, protection, and justice within the institution of marriage.

### **1.4. The Statement of the Problem**

The problem addressed in this study arises from the growing recognition that cruelty, whether physical or mental, has become one of the most contested and significant grounds for divorce in matrimonial law. Although Indian family law, particularly under the Hindu Marriage Act, 1955 and other allied statutes, recognizes cruelty as a basis for dissolution



of marriage, the concept remains broad, evolving, and largely dependent on judicial interpretation. This creates uncertainty in determining what conduct amounts to cruelty and when such conduct is serious enough to justify the breakdown of marriage in legal terms. The difficulty is further compounded by changing social values, the rise of mental cruelty claims, and concerns regarding whether the present legal framework adequately protects spouses who suffer abuse within marriage. Therefore, the central problem of this study is to critically examine the meaning, scope, and judicial application of cruelty as a ground for divorce and to evaluate whether the existing legal system responds effectively and fairly to the realities of matrimonial breakdown.

### **1.5. The Research Questions**

**RQ1:** How does cruelty contribute to the breakdown of marriage in legal terms?

**RQ2:** How have courts judicially interpreted physical cruelty and mental cruelty in matrimonial disputes?

**RQ3:** Whether the present legal framework adequately protects spouses suffering from cruelty?

### **1.6. The Objectives of Study**

O1: To investigate how cruelty contributes to the breakdown of marriage in legal terms.

O2: To examine the judicial interpretation of physical mental cruelties in matrimonial disputes.

O3: To assess whether the present legal framework adequately protects spouses suffering from cruelty.

### **1.7. The Delimitation of the Study**

It primarily focuses on the concept of cruelty in relation to the breakdown of marriage, with special reference to statutory provisions such as the Hindu Marriage Act, 1955, the Special Marriage Act, 1954, and other relevant laws interpreted by Indian courts.

The study is confined to the analysis of physical and mental cruelty as developed through judicial decisions and does not extend to an elaborate discussion of all other grounds of divorce such as adultery, desertion, conversion, or irretrievable breakdown of marriage.

It is further limited to the constitutional and legal dimensions of the subject rather than a detailed sociological, psychological, or comparative international study.

## **II. THE METHODOLOGY OF THE STUDY**

This study adopts a doctrinal research methodology based entirely on secondary sources. It primarily relies on the analysis of constitutional provisions, statutory laws, judicial decisions, law commission reports, legal commentaries, journal articles, books, and other relevant published materials relating to cruelty as a ground for divorce under Indian matrimonial law. The doctrinal method is used to examine the legal concept of cruelty, its contribution to the breakdown of marriage, the judicial interpretation of physical and mental cruelty, and the adequacy of the existing legal framework for protecting spouses suffering from cruelty. The study is therefore analytical and descriptive in nature, focusing on the interpretation, evaluation, and critical examination of legal principles rather than empirical data or field-based investigation.

## **III. THE ANALYSIS AND INTERPRETATION**

### **I. Cruelty Contributes to the Breakdown of Marriage in Legal Terms**

Cruelty contributes to the breakdown of marriage in legal terms because Indian matrimonial law treats certain forms of conduct as so harmful to conjugal life that the law permits dissolution of the marital tie itself. Under Section 13(1)(ia) of the Hindu Marriage Act, 1955, as introduced for divorce by the Marriage Laws (Amendment) Act, 1976, either spouse may seek a decree of divorce where the other “has, after the solemnization of the marriage, treated the petitioner with cruelty.” A parallel ground appears in Section 27(1)(d) of the Special Marriage Act, 1954, showing that cruelty is not confined to one personal-law regime. Legally, therefore, cruelty is important not merely because it reflects marital



unhappiness, but because it marks the point at which the law recognizes continued cohabitation as unreasonable and injurious. This understanding is read in the wider constitutional setting of Articles 14, 15, and 21 of the Constitution of India, under which equality, non-discrimination, dignity, and personal liberty shape the interpretation of family law. In that sense, cruelty causes marital breakdown in law when conduct destroys the basic conditions of a lawful marital relationship—mutual respect, security, consortium, and dignified co-existence—so thoroughly that the court treats the marriage as no longer worthy of preservation (Constitution of India, arts. 14, 15, 21; Hindu Marriage Act, 1955, § 13(1)(ia); Special Marriage Act, 1954, § 27(1)(d)).

The breakdown becomes even clearer through judicial interpretation, because neither the Hindu Marriage Act nor the Special Marriage Act exhaustively defines “cruelty.” Courts have therefore developed the doctrine case by case. In *V. Bhagat v. D. Bhagat* (1994), the Supreme Court held that mental cruelty includes conduct causing such mental pain and suffering that the parties cannot reasonably be expected to live together. In *Samar Ghosh v. Jaya Ghosh* (2007), the Court explained that mental cruelty has no straitjacket formula and must be assessed cumulatively, with attention to the parties’ background, conduct, and the realities of married life. In *Naveen Kohli v. Neelu Kohli* (2006), the Court linked sustained hostility, humiliation, false accusations, and prolonged acrimonious litigation to a practical destruction of the marriage, recognizing that cruelty often operates by making the marital relationship emotionally and legally unworkable rather than by a single violent act. Thus, cruelty contributes to legal breakdown not only through physical violence but also through persistent humiliation, denial of companionship, reputational attacks, coercive conduct, or other behavior that renders marital cohabitation unsafe, degrading, or intolerable (*Naveen Kohli v. Neelu Kohli*, 2006; *Samar Ghosh v. Jaya Ghosh*, 2007; *V. Bhagat v. D. Bhagat*, 1994).

In institutional terms, cruelty leads to legal breakdown because Indian law now addresses it both as a divorce ground and as a protective wrong within domestic relationships. The Protection of Women from Domestic Violence Act, 2005, especially Section 3, recognizes physical, verbal, emotional, sexual, and economic abuse as domestic violence; this broad legislative understanding reinforces matrimonial jurisprudence by showing that cruelty can undermine marriage through multiple forms of harm, not only bodily injury. At the procedural level, the Family Courts Act, 1984 requires Family Courts to attempt conciliation where possible, yet it also acknowledges that some disputes—especially those involving cruelty—may reach a stage where reconciliation is inconsistent with justice and safety. Therefore, cruelty contributes to marital breakdown in law when the conduct complained of is serious enough to defeat the normative goals of marriage while also attracting legal remedies for protection, separation, or divorce. A critical legal reading shows that the doctrine of cruelty functions as a bridge between constitutional values and matrimonial relief: it protects individual dignity within marriage and allows the law to terminate a union when the relationship has been damaged by abuse beyond reasonable repair (Family Courts Act, 1984, § 9; Protection of Women from Domestic Violence Act, 2005, § 3; Hindu Marriage Act, 1955, § 13(1)(ia)).

## **II. The Judicial Interpretation of Physical and Mental Cruelties in Matrimonial Disputes**

Indian matrimonial law treats physical cruelty and mental cruelty as judicially developed grounds under broadly worded divorce provisions, chiefly Section 13(1)(ia) of the Hindu Marriage Act, 1955, inserted for divorce by the Marriage Laws (Amendment) Act, 1976, and Section 27(1)(d) of the Special Marriage Act, 1954. Because the statutes do not define “cruelty” exhaustively, courts have interpreted the expression in light of the constitutional commitment to equality, non-discrimination, dignity, and personal liberty under Articles 14, 15, and 21 of the Constitution. The classic position is that cruelty in matrimonial law is not confined to assault or bodily injury; it includes conduct that makes cohabitation harmful, unsafe, humiliating, or unreasonable. In *N.G. Dastane v. S. Dastane* the Supreme Court explained that matrimonial cruelty is assessed on the civil standard of preponderance of probabilities, not proof beyond reasonable doubt, which is crucial because cruelty within marriage often appears through patterns of conduct rather than a single dramatic incident. Later, in *Shobha Rani v. Madhukar Reddi*, the Court emphasized that the meaning of cruelty changes with social conditions and that matrimonial cruelty is distinct from criminal cruelty. Thus, judicial interpretation proceeds from the reason that marriage is a continuing legal relationship, and when one spouse’s conduct



produces a reasonable apprehension that living together would be harmful or injurious, the law treats the conduct as cruelty sufficient to affect marital rights and, where proved, to justify divorce (Constitution of India, arts. 14, 15, 21; Hindu Marriage Act, 1955, § 13(1)(a); Special Marriage Act, 1954, § 27(1)(d); *N.G. Dastane v. S. Dastane*, 1975; *Shobha Rani v. Madhukar Reddi*, 1988).

As to physical cruelty, the courts usually look for evidence of bodily violence, threats of violence, repeated assaults, forced deprivation, coercive sexual conduct, or other acts endangering life, limb, or health; however, the judicial reason for recognizing such conduct is not merely that it is morally blameworthy, but that it directly undermines the legal incidents of marriage—safety, consortium, and dignified cohabitation. At the same time, modern doctrine gives equal, and often greater, importance to mental cruelty, because many marriages break down not through visible injuries but through sustained humiliation, false accusations, abusive language, indifference, denial of companionship, public scandalization, reckless litigation, or conduct causing intense emotional suffering. In *V. Bhagat v. D. Bhagat*, the Supreme Court held that mental cruelty means conduct causing such mental pain and suffering that it becomes impossible for the spouses to live together; in *Samar Ghosh v. Jaya Ghosh*, the Court refused any mechanical formula and instead offered illustrative situations—such as studied neglect, unilateral denial of marital obligations, sustained humiliation, or conduct making a normal marital life impossible—while stressing that the cumulative effect of facts matters more than isolated episodes. In *K. Srinivas Rao v. D.A. Deepa*, the Court further held that unfounded indecent allegations, defamatory complaints, and repeated false criminal proceedings may themselves amount to mental cruelty. The underlying judicial reason is evidentiary and normative at once: law recognizes that psychological abuse can be as destructive as physical violence because it corrodes trust, security, and emotional stability, thereby converting marriage from a relationship of companionship into one of injury and fear (*V. Bhagat v. D. Bhagat*, 1994; *Samar Ghosh v. Jaya Ghosh*, 2007; *K. Srinivas Rao v. D.A. Deepa*, 2013).

In terms of evidence, courts in matrimonial disputes rely on a broad factual matrix rather than insisting on one fixed form of proof. Physical cruelty established through medical records, injury reports, photographs, police complaints, contemporaneous letters, testimony of relatives or neighbours, or admissions by the respondent. Mental cruelty is often proved through the pattern revealed by pleadings, correspondence, emails, messages, call records, abusive complaints, litigation history, and witness testimony about the parties' conduct before, during, and after separation. This evidentiary flexibility is reinforced by the Family Courts Act, 1984: Section 14 allows a Family Court to receive any report, statement, document, information, or matter that may assist it to deal effectively with the dispute, even if it might not otherwise be strictly admissible; Sections 15 and 16 simplify the recording of evidence and permit evidence of a formal character by affidavit. Since 1 July 2024, the Bharatiya Sakshya Adhiniyam, 2023 has further recognized documentary and electronic material within the concept of evidence and gives electronic or digital records legal effect, with Sections 61 and 63 specifically dealing with the admissibility of such records. This matters in cruelty litigation because much contemporary mental cruelty is reflected in digital behavior—messages, recordings, emails, and online accusations. The Protection of Women from Domestic Violence Act, 2005, especially Section 3, also confirms legislatively that domestic abuse may be physical, verbal, emotional, sexual, or economic, which supports the broader judicial understanding of cruelty in matrimonial cases. Therefore, the judicial interpretation of physical and mental cruelty rests on two connected reasons: first, marriage law must protect bodily safety and mental dignity; second, the evidentiary process must be realistic enough to capture the many forms in which cruelty manifests inside the privacy of family life (Bharatiya Sakshya Adhiniyam, 2023, §§ 2, 57, 61, 63; Family Courts Act, 1984, §§ 14–16; Protection of Women from Domestic Violence Act, 2005, § 3).

### **III. The Legal Framework in Protection of Spouses in Suffering from Cruelty**

The present Indian legal framework protects spouses suffering from cruelty, but only partially and unevenly. On paper, it is fairly comprehensive because it operates on three levels at once: constitutional protection, matrimonial relief, and protective civil/criminal remedies. At the constitutional level, cruelty within marriage is now commonly examined through the values of equality, non-discrimination, dignity, life, and access to justice under Articles 14, 15, 21, and 39A



of the Constitution of India. At the matrimonial level, cruelty is a ground for divorce under Section 13(1)(a) of the Hindu Marriage Act, 1955, introduced for divorce by the Marriage Laws (Amendment) Act, 1976, and under Section 27(1)(d) of the Special Marriage Act, 1954. At the protective level, the Protection of Women from Domestic Violence Act, 2005 (PWDVA) is especially significant because Section 3 defines domestic violence broadly enough to include physical, sexual, verbal, emotional, and economic abuse, while Sections 17, 18, 19, 20, 21, 22, and 23 allow residence orders, protection orders, monetary relief, custody, compensation, and interim relief. The Bharatiya Nyaya Sanhita, 2023, through Sections 85 and 86, also retains the offence of cruelty by husband or relatives of the husband, thus preserving a criminal-law response to dowry-linked or grave matrimonial abuse. These provisions show that the law does not leave a victim of cruelty with only one remedy; it offers exit from marriage, immediate civil protection, maintenance-related relief, and criminal sanction. For that reason, the framework is normatively strong and, in legislative design, does provide substantial protection to an aggrieved spouse (Bharatiya Nyaya Sanhita, 2023, §§ 85–86; Constitution of India, arts. 14, 15, 21, 39A; Hindu Marriage Act, 1955, § 13(1)(a); Protection of Women from Domestic Violence Act, 2005, §§ 3, 17–23; Special Marriage Act, 1954, § 27(1)(d)).

At the same time, there are strong legal reasons to say that the framework is not yet fully adequate in practice. First, the remedies are spread across multiple statutes and forums—Family Courts, Magistrates’ courts under the PWDVA, and criminal courts—so a spouse often has to pursue parallel proceedings for divorce, residence, maintenance, compensation, and prosecution. The Family Courts Act, 1984 seeks to reduce hardship by promoting settlement and allowing a more flexible evidentiary process, but the need for multiple proceedings itself can become burdensome for victims of cruelty. Second, although the PWDVA is a major advance because it provides immediate civil relief, the Supreme Court has repeatedly had to clarify its scope, which itself shows that access is shaped not only by legislation but by continuing judicial correction. In *Satish Chander Ahuja v. Sneha Ahuja* (2020), the Court gave an expansive reading to the right of residence in a shared household; in *Prabha Tyagi v. Kamlesh Devi* (2022), it clarified that an aggrieved woman can seek relief under the Act even if she is no longer residing with the respondent at the time of the complaint; and in a 2025 decision, the Supreme Court stressed that courts should be slow to quash proceedings under Section 12 of the PWDVA, because the Act is a welfare statute meant to protect women from domestic violence. Third, maintenance and financial survival remain central to protection from cruelty; this is why *Rajnish v. Neha* (2020) is important, as the Supreme Court laid down guidelines to reduce delay, overlapping claims, and inconsistency in maintenance adjudication. These developments show that the framework protects, but its adequacy has depended heavily on judicial interpretation to make the statutory protections workable and accessible (Family Courts Act, 1984, §§ 9, 14–16; *Prabha Tyagi v. Kamlesh Devi*, 2022; *Rajnish v. Neha*, 2020; *Satish Chander Ahuja v. Sneha Ahuja*, 2020).

The strongest criticism, however, is that the framework remains substantively incomplete and socially under-responsive, even if legally elaborate. The NFHS-5 (2019–21) still documents domestic violence as a continuing national problem, which is powerful evidence that the existence of statutes has not eliminated cruelty within marriage. Internationally, India is bound by CEDAW, whose guarantee of equality before the law and equal treatment in courts reinforces the obligation to provide effective protection against gender-based violence. Domestically, support systems such as One Stop Centres and the Women Helpline under Mission Shakti strengthen the framework by linking survivors to medical aid, legal aid, shelter, police assistance, and counselling. Yet important gaps remain. The criminal offence under Sections 85–86 of the Bharatiya Nyaya Sanhita, 2023 remains confined to cruelty by the husband or his relatives against a woman, so it is not a gender-neutral response to all forms of spousal cruelty. The matrimonial statutes still do not generally recognize irretrievable breakdown of marriage as a regular statutory ground of divorce, despite repeated recommendations of the Law Commission of India, including Report No. 217 (2009), which noted the need to add that ground to the Hindu Marriage Act, 1955 and the Special Marriage Act, 1954. As a result, spouses in dead or abusive marriages may still be forced to litigate under the language of cruelty even where the deeper problem is total marital collapse. For these reasons, the better legal conclusion is that the present framework is adequate in structure but only partially adequate in effect: it creates multiple remedies and reflects constitutional and international



commitments, yet enforcement burdens, fragmentation, and unresolved legislative gaps continue to limit full protection for spouses suffering from cruelty (Bharatiya Nyaya Sanhita, 2023, §§ 85–86; Convention on the Elimination of All Forms of Discrimination Against Women, art. 15; Law Commission of India, Report No. 217, 2009; Ministry of Women and Child Development, Mission Shakti; National Family Health Survey-5, 2019–21).

#### IV. CONCLUSION

In conclusion, the study shows that cruelty contributes to the breakdown of marriage in legal terms by destroying the essential foundations of matrimonial life, namely mutual respect, safety, dignity, trust, and cohabitation, thereby justifying judicial dissolution of marriage under Indian law. The judicial interpretation of physical and mental cruelty has evolved significantly through case law, with courts recognizing that cruelty is not confined to physical violence alone but also includes conduct causing deep emotional pain, humiliation, trauma, and mental suffering that makes it unreasonable for spouses to continue living together. This broad and dynamic interpretation has enabled the law to respond more realistically to the complexities of matrimonial disputes. At the same time, the present legal framework, supported by constitutional values, matrimonial statutes, and protective legislation, offers important remedies to spouses suffering from cruelty; however, its effectiveness remains only partly adequate due to procedural delays, evidentiary difficulties, fragmented remedies, and the continuing gap between legal protection and practical enforcement. Therefore, while Indian law has made substantial progress in addressing cruelty within marriage, there remains a need for clearer standards, stronger implementation, and more accessible remedies to ensure full justice and protection to affected spouses.

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