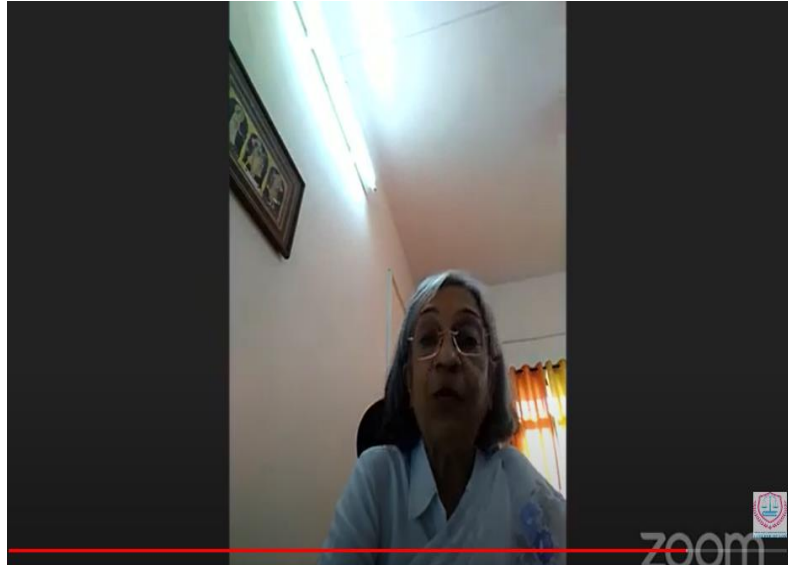


**HVPS's**  
**Legal Insights by Judiciary-02**

**National Webinar on “Matrimonial Remedies in India: An Overview”**

**By Dr. A.G. Farswani, Principal Judge, Family Court, Thane on 31/07/ 2021**



**Highlights of DV Act**

1. This Act recognizes that women have the right to live free from violence
2. The Act's definition of domestic violence is comprehensive
3. The Act covers domestic relationship which include relationship through marriage, cohabitation and adoption.
4. The Act guarantees to women facing domestic violence in a shared household a right to reside in the shared household.
5. The Act protects women in relationships in the nature of marriage.
6. The Act mandates a coordinated response among Protective Officers, Service Providers shelter homes, counselors, medical facilities, the police and most importantly the Courts.
7. The Act is a civil law, with criminal features, speedy provisions to punish criminally offences of civil orders.
8. The Act supplements, rather than replaces existing laws governing marriage, custody and property.

**HINDU MARRIAGE ACT, 1955**  
**S.12. Voidable marriages.—**

Any marriage is voidable on any one of the following grounds :

- (a) that the marriage has not been consummated owing to the impotence of the respondent;
- (b) that the marriage is in contravention of the condition specified in clause (i) of section 5; -  
Unsoundness of mind.
- (c) that the consent of the petitioner, or where the consent of the guardian in marriage of the petitioner was obtained by force or by fraud as to the nature of the ceremony or as to any material fact or circumstances concerning the respondent;
- (d) that the respondent was at the time of the marriage pregnant by some person other than the petitioner.