



EMOTION, MORALITY, AND EVIDENCE IN LAW: RETHINKING ADULTERY POST-2018

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ABSTRACT

*This paper explores the role of emotions within the legal system, challenging the idea that law operates purely on logic and evidence. It argues that emotions such as empathy, compassion, and moral outrage have historically influenced the development and interpretation of laws. While evidence remains the foundation of judicial decision-making, emotions often guide courts in understanding the human impact of legal disputes, particularly in sensitive cases. Using the hypothetical case of Pooja and Yaditya, the paper examines how emotional motivations interact with legal accountability in the context of adultery. Following the decriminalisation of adultery in *Joseph Shine v. Union of India* (2018), such acts are no longer criminal but remain civil wrongs under matrimonial law. The paper highlights the distinction between emotional motivation and malicious intent and emphasises the need for a balance between emotions and legal reasoning to ensure fairness, objectivity, and justice.*

Keywords: Joseph Shine v. Union of India, Decision-Making, Adultery.

INTRODUCTION

Emotions have always been a part of the legal system, although the law is said to be a logical and rational discipline. In the early days of society, before the existence of written laws, leaders and rulers used to settle disputes according to what they considered fair, sympathetic, angry, or lenient. These emotions gradually led to the formulation of the rules that eventually became the law. Even today, emotions play a part in the legal system, especially when the judiciary tries to understand the human aspect. Laws have been formulated for the people, and people have emotions. Therefore, the legal system cannot afford to overlook emotions like fear, pain, guilt, and compassion.

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We are often told that if we want a fair judgment, we must have solid evidence. And this is very true, since a judgment is based on “proof.” However, in some situations, such as the one we discussed earlier, emotions play a very important role too.¹

In the past, before the existence of laws, rulers resolved conflicts based on their moral feelings, where emotions played a very important role in shaping laws. We simply cannot deny this. Even today, in some critical situations, judges take into account how brutal the crime is, how cruel, and how much the victim has suffered. So, emotions are as important as evidence in such situations.

Emotions may also be seen to play a role in the development and change in the law. This is because, when the values of society change, the laws may be amended to take account of the changing moral feelings. The push for equality, dignity, and human rights was based on feelings of empathy and the need for justice. Therefore, emotions have not undermined the legal system. Rather, they have helped to shape the legal system into what may be seen to be more humane.

There are many such situations. On March 7, 2026, in a gang rape case in a Coimbatore college, the judge sentenced the perpetrators to death. They must have looked at the evidence, but they must have thought that since the crime was very brutal—dragging a girl into the woods, raping her, beating her, and finally raping her while threatening to kill her—the judgment had to be based on emotions too.

Emotions have always played a role in our legal systems, even if we don’t always want to admit it. While a lot of a decision is based on data, precedents, and logic, a small percentage—10%, to be exact—is based on emotions. Lately, we’re seeing this balance in action. We’ve had a ruling from the Delhi High Court that law students in India should not be barred from taking their examinations based on lack of attendance. We’ve had guidelines issued by the UGC that protect students from caste discrimination. In each of these situations, we’re not talking about logic or evidence. We’re talking about emotions. In the first situation, we know that public sentiment dictates that students attend classes regularly. However, emotions played a role in this decision as the court took into account the student’s emotional toll, including a suicide attempt, based on attendance.

¹ The good, the bad, and the adulterous <https://repository.nls.ac.in/cgi/viewcontent.cgi?article=1176&context=slr>

ANALYZING THE "JUSTIFIABLE" ARGUMENT

One-time emotional encounters refer to brief moments when two people experience an emotion or connection, even though they may not have had a long history with each other before or after the encounter. Such moments may occur between strangers, between friends who meet after years of separation, or between people whose paths unexpectedly cross. Despite the nature of the encounter, it is not the length of the encounter, but the depth of the emotions experienced that makes it significant. At times, one may feel comfort, attraction, regret, or even nostalgia during an encounter. Such moments may occur when one is already burdened with emotions stemming from their past.

If they meet a person associated with their past, the emotions can come back easily and with great intensity. Even though the encounter may last only a few minutes or hours, it can have a lasting effect on the mind. People may think about the encounter later and try to understand what it meant or what could have been if the situation had been different. On the other hand, one-shot emotional encounters usually depend on the situation in which the encounter happened. For instance, stress, loneliness, happiness, or unexpected change can make emotions more intense than usual. Therefore, it is common for people to act in a way that is not normal for them. Such encounters may not always result in long-lasting relationships, but they may affect decision-making, thinking, and emotions for a long period. In many situations, one-shot emotional encounters prove how human emotions do not always make sense or follow a logical sequence. They may come and go within a short period, but still, the encounter may have a lasting effect on how a person remembers it.

In the case of Yaditya and Pooja, an isolated intimate encounter to alleviate the emotional pain caused by a decade-long grievance may be justified if they have an understanding beforehand that this is an isolated incident for healing. However, the pursuit of an ongoing marital affair is a blunder of great proportions, especially considering that the difference between closure and infidelity is slim.

Another way to say this is that “while adultery may not be a crime in itself, there are more than enough reasons for a divorce for Pooja’s husband.” This point comes up again in the case of Joseph Shine. One way to defend this is that “perhaps Pooja’s husband may confide in her about his affair and seek mediation under the Hindu Marriage Act.” The reason for this affair

is that it was not born out of malice and contempt but out of an² emotional bond that developed between two people after ten years. This is different from other acts of cheating because it is not done out of spite and anger but more out of a need to heal and cure, and that in itself is a noble pursuit done out of emotion.

One major drawback of overusing emotional justification is the fact that, over time, it may transform into a justification for infidelity. The person may begin by convincing themselves that they need emotional support from somebody outside the marriage. They may feel lonely, ignored, and disconnected from their spouse. These feelings, by all means, should not be ignored. The problem arises when the person starts to feel that their pain is enough justification for having a close, intimate relationship with somebody else. The process of emotional justification may begin innocently, for example, by frequently chatting, discussing personal problems, and seeking validation from somebody outside the marriage. This may, over time, lead to the development of emotional attachment.

Once the attachment is formed, the individual may begin to believe that the new relationship is necessary for their own happiness, even if it means damaging the marriage. This leads to a dangerous cycle of justification through emotions, which can be used to justify wrong actions. It also ignores the fact that a marriage is built on trust, honesty, and commitment. If the individual's emotional needs are not being fulfilled, they should communicate this with their spouse, rather than seeking a third party. There is also the risk of justification through emotions, leading individuals to underestimate the consequences of their infidelity. An individual may feel that their actions are harmless because they have justified them through emotions, when in fact the emotional pain they have inflicted on their spouse could be great. This leads to a weakening of personal accountability, allowing the emotional comfort of a third party to eventually develop into infidelity.³

THE 2018 TURNING POINT (JOSEPH SHINE VS. UNION OF INDIA REVISITED)

Discriminatory Nature of the Earlier Adultery Law: Previously, the law relating to adultery, which is governed by Section 497 of the Indian Penal Code, was criticised as being discriminatory and unfair, especially to women. This law considered women as the property of their husbands rather than as individual human beings. This law stated that only the man who

² The psychology of morality <https://pmc.ncbi.nlm.nih.gov/articles/PMC6791030/>

³ Rethinking deception and sexual autonomy <https://www.ijlra.com/details/beyond-consent-rethinking-deception-and-sexual-autonomy-in-indian-marriage-promises-by-uday-poonia>

had an intimate relationship with a married woman was liable to be punished. The married woman who was involved in the act was not punished at all because the law considered her to have no will of her own and to be a mere victim or a mere participant in the act. This was because of the outdated ideology that considered women to be weak and vulnerable. Another important aspect of the law relating to adultery was that if the husband of the married woman gave permission or gave his consent for the act, then the other man was not liable to be punished. This clearly showed that the law relating to adultery was more concerned with protecting the husband's rights over his wife rather than protecting the dignity and rights of the woman herself.

It also meant that a wife had no similar rights if her husband had an affair with another woman. She was not allowed to file a complaint against the woman involved. This, therefore, created a situation of inequality between men and women. The law, therefore, was protecting men and not taking into consideration the issue of gender equality, which is a fundamental right under the Constitution of India. Because of this, the earlier law regarding adultery was considered discriminatory, outdated, and did not take into consideration the issue of gender equality.

Before 2018, the law on adultery was codified in Section 497 of the Indian Penal Code. It was obvious that the law was based on a discriminatory approach, as the man could be penalised for having an illicit relationship with a married woman, while the married woman could not be penalised in the same manner. Furthermore, the law recognised the husband as the “owner” of the wife, based on outdated patriarchal values.⁴⁵

However, the difficulty was in the case of *Joseph Shine v. Union of India*, in which the petitioner had contended that the law on adultery in Section 497 was in violation of Article 14, which deals with equality, as well as Article 21, which deals with personal liberty. In 2018, the law on adultery was struck down by the Supreme Court in the case of *Joseph Shine v. Union of India*, as the law was held to be unconstitutional.

Marriage doesn't take away individuals' personal freedom or dignity. Women are not their husbands' property. The law continues to perpetuate gender discrimination based on patriarchal values. Adultery, though struck down by courts after 2018, continues to exist as a civil wrong

⁴ Revisiting the adultery law: <https://unacademy.com/content/daily-news-analysis/revisiting-the-adultery-law-in-india/> Decriminalizing adultery: <https://indconlawphil.wordpress.com/2017/12/09/decriminalising-adultery/> <https://www.ipandlegalfilings.com/joseph-shine-v-uo/>

⁵ *Joseph Shine v. Union of India*, (2019) 3 SCC 39

and a ground for divorce under various personal laws, such as Section 13(1)(i) of the Hindu Marriage Act, 1955. In the case of Pooja and Yaditya, even though their adulterous relationship happened after 2018, Pooja's husband is entitled to divorce her. While family courts do recommend mediation, reconciliation, and a peaceful, functional marriage, here, morality is what demarcates the boundaries of the marriage relationship. Thus, ending the adulterous relationship with Yaditya would actually uphold morality. Therefore, adultery continuing as a civil wrong maintains the status quo that upholds marriage as an institution.

CAN THE EMOTIONAL PAST OF AN INDIVIDUAL AFFECT LEGAL REASONING?

In the Yaditya and Pooja situation, the attraction of their emotional past and the subsequent intimacy that ensued must be given a thoughtful nod in any verdict. However, this same complexity pushes the boundaries of traditional, neat legal frameworks that consider law purely rational and practical. Legal reasoning, to be fair, has to consider personal histories because the Indian Constitution is considered a living, breathing document that can stretch to accommodate the times.⁶

Consider the 2018 Joseph Shine vs. Union of India case as a precedent: "Adultery was decriminalised because it violates the individual's autonomy and personal liberty under Articles 14 and 21 of the Constitution." In the Yaditya and Pooja case, what they did would not be a criminal act after 2018. Pooja decided to have intimate relations with Yaditya because of their shared emotional past, which indicated her sexual autonomy. Even if it's no longer a crime, it's still a civil wrong.

We cannot deny emotions in legal reasoning in any case because, to shape a law or give a judgment, morality plays a pivotal role. In the current society, personal relationships and many divorces take place due to the cheating of their partners, so even though adultery is decriminalised in the Yaditya case, they have committed a civil wrong. The law sees a thin line between emotion and evidence. As we see in this scenario, adultery is decriminalised, but it is still a civil wrong. Legal reasoning should consider emotional intelligence even in personal relationships because the offence that is committed doesn't need to have a malicious intention; there are possibilities of emotional past cases, too. There may be a few cases where the partners

⁶ Revisiting the new criminal laws <https://ds7-backend.ndl.gov.in:8443/hpnl/api/core/bitstreams/6169543d-b067-44e4-a0bd-eb8aedfee031/content>
https://www.legalserviceindia.com/Criminallaws/criminal_law.htm#google_vignette

or spouses commit cheating due to malicious intention. In those cases, the evidence will start to play an important role in deciding the case. Scenarios such as Pooja and Yaditya also exist in society; they also need to be considered because, in rape cases, when the brutality is considered to decide the case, in these cases, the emotional past of the individual should also be considered while examining.

We cannot just overlook the aspect of emotions when reasoning about the law, as in some cases, the formation of a law or the delivery of a judgment may depend on a moral aspect. In today's society, most breakups and failed relationships are a result of partner infidelity, and although adultery may be decriminalised in the Yaditya case, it is still a civil wrong. The law is very particular about the difference between how one feels and what is proven in court. In this case, adultery is not a crime, but it is still a civil wrong. Legal reasoning must incorporate emotional intelligence, even in matters of personal relationships, as the crime is not always committed with ill intent but also with past emotional circumstances. There will be cases when the act of cheating is a result of spiteful intentions, and in such cases, evidence is paramount in the process of dispute resolution. Cases such as Pooja and Yaditya are common in society and must be considered. Just as rape cases consider brutality in their judgments, the emotional background of the involved parties must also be considered when reviewing such cases.

EMOTIONAL MOTIVATION VS. MALICIOUS INTENTION

Emotional motivation and malicious intention, at times, may produce similar results, but the reasons behind them are quite different. Emotional motivation is based on emotions such as love, fear, anger, jealousy, or sadness. A person who is motivated by emotions may not be fully thinking about the results of what they are doing. They may act impulsively or based on what happened in the past, which still lingers in their mind. For instance, a person who feels betrayed or hurt by another person may act impulsively, but it is not because they want to harm another person intentionally, but because of the emotions they are feeling at the time. Even though harm is being caused, it is not intentional, unlike the case of malicious intention, where one is planning to take unfair advantage of another person.

It also includes careful thought, preparation, and a deliberate decision to do wrong. An individual with malicious intent generally understands the consequences of his actions but still decides to do it anyway for his own benefit, revenge, or control. This distinction makes a great deal of difference in legal terms. In deciding the responsibility of a person, the law often

considers the individual's state of mind. It may be considered whether the act was carried out because of emotions or out of cruelty. While emotions do not justify the wrong, they do help understand the reason for the act. This distinction also helps in making a fair decision, as it allows the law to treat emotions differently from cruel intent.

ETHICAL AND SOCIAL PERSPECTIVE ON ADULTERY

We'll examine what's expected of marriage from a moral standpoint and what personal freedom means once the vows are said and the rings are on. Whether the marriage is for love or is an arranged marriage, there are moral obligations that are usually the glue that keeps marriages intact and happy. These are trust, loyalty, respect for one another, and joint responsibility for one another. But once the vows are said and the rings are on, personal freedom is another story.⁷

There is the legal aspect of personal freedom in marriage. In October 2025, the Kerala High Court held that "when the husband entertains doubt regarding the fidelity of his wife and acts upon such doubt, it is indeed severe mental cruelty that may warrant divorce." The court added that "constantly keeping an eye on her life and curtailing her personal freedom makes life a living hell."

Although it is a joint responsibility shared between the two, personal freedom does have its boundaries. Coming to the case of Pooja and Yaditya, when Pooja became intimate with Yaditya, she was also being disloyal to her partner. There are thus two sides to it. While Pooja and Yaditya may feel it is right, because a decade of emotional history and the pain of memories drove them to it, it is a civil wrong on the part of Pooja's husband, who can seek divorce under the Hindu Marriage Act, even though adultery is not criminalised against Pooja's husband at law.

PRIVACY, AUTONOMY AFTER MARRIAGE

Privacy in Marital Relationship:⁸ The issue of violation of privacy due to unfounded suspicion was dealt with by the Kerala High Court in X v. Y or a similar citation, and their

⁷ Legal implications of adultery <https://ijlmh.com/paper/legal-implications-of-adultery-a-comprehensive-analysis-across-jurisdiction/>

⁸ Institutional privacy, personal autonomy <https://vidhilegalpolicy.in/blog/institutional-privacy-personal-autonomy-and-the-conundrum-of-restitution-as-a-remedy/>

Marital privacy <https://vidhilegalpolicy.in/blog/institutional-privacy-personal-autonomy-and-the-conundrum-of-restitution-as-a-remedy/>

view is quite evident: where there is unfounded suspicion, where a husband follows his wife, questions her integrity, and violates her privacy, there is immense mental distress, humiliation, and anguish. Where there is such a violation of privacy, there is a violation of mutual respect, dignity, peace, happiness, and harmony, creating an atmosphere of fear, tension, and uneasiness, which leads to humiliation, fear, and mental distress, making cohabitation untenable. Therefore, the wife is entitled to divorce, as unfounded suspicion amounts to mental cruelty under Section 13(1)(ia) of the Hindu Marriage Act, 1955.

Autonomy in the Body after Marriage: Autonomy is the key concept in the landmark case of *Joseph Shine v. Union of India* (2018) 2 SCC 1, where the Supreme Court held that marriage does not confer any kind of ownership over the woman's body. The woman's autonomy in her own body continues to be sacrosanct and is not subject to any kind of domination by the husband. This principle is applicable in the case of rape within a marriage, thus emphasising the woman's autonomy post-marriage. Although the personal laws may imply the husband's marital right, the woman's consent is imperative. In the case of *Hrishikesh vs. Biswajit Ghose vs. The State of Karnataka* (Karnataka High Court), it was held that "forced brutal sex by the husband cannot be excluded from the purview of sections 375/376 IPC even after the amendments of 2013. " This is a violation of the woman's bodily autonomy and dignity and clearly indicates that the woman's marriage does not imply any irrevocable consent and her right to say no to intimacy is her fundamental right."

LEGAL LIMITATIONS OF EMOTIONAL JUSTIFICATION

Emotions are needed in law, but the law should not be based on emotions alone. There has to be a balance between emotions and evidence. They should complement each other, with emotions in the background and evidence at the forefront. For *Yaditya and Pooja*, their emotional past justified their intimacy, but when it comes to cheating on their partners, evidence is paramount, and emotions are secondary. Emotional considerations in law or judgments have clear limitations and boundaries. This is crucial because laws serve society, which comprises people from diverse religions, castes, and mindsets—perspectives vary widely. Without these boundaries, fair judgments become impossible: evidence forms the foundation, while emotion's role is simply to ensure the law aligns with moral standards.

In the hypothetical case of *Yaditya and Pooja*, the couple did engage in an affair, rationalising it as emotionally justifiable given what they had previously been through. Although adultery

is no longer a crime following the Joseph Shine v. Union of India ruling in 2018, it is nevertheless viewed as morally and legally incorrect when it happens within a marriage. It is a civil wrong and can be a ground for divorce. This is a case of evidence-based legal principles being at odds with human emotions. Although a single incident of intimacy, based on past emotional relationships, may be subject to minimal judicial inquiry in the context of a divorce, if the affair is ongoing, it is deemed illegal and is a ground for divorce under Section 13(1)(i) of the Hindu Marriage Act.⁹ 1955, and breaches the trust that forms the foundation of a marriage.

Judges illustrate how emotion must yield to evidence in their work, as the case or act is based on sound facts. In their judgments, they clearly distinguish between what they feel and what the facts are, considering the Nirbhaya case in 2012 in Delhi. The convicts were given the death penalty because it was a “rarest of the rare” case due to its sheer brutality. One of the convicts was a minor and was sent to a juvenile home. Although the court was meticulous about the convicts, the evidence, and the details, the “rarest of rare” case was based on an emotional connection with the pain of the victim, who was in “unbearable” pain—an ordinary person can almost feel the pain. In this case, emotion and evidence were complementary, but emotion was still constrained by facts. In contrast, consider the famous Unnao case in 2017, where the rapist was given life imprisonment. Although the brutality was as bad as that of Nirbhaya, the punishment was limited to life imprisonment.

JUDICIAL BOUNDARIES AND EMOTIONAL SYMPATHY

Judges are human beings like any other person, and like any other person, they can feel sympathy when they listen to the stories of people in the courtroom. Some of the stories may be about loss, betrayal, poverty, or family conflicts. However, the boundaries of a judge do not allow him or her to decide cases based on sympathy alone. The boundaries of a judge help to ensure that the decisions made are always just.

Judges are supposed to follow the boundaries set by the law to ensure that the decisions made are always just and fair to all the people involved. The decisions made should always be made on the basis of evidence and the principles set by the law. Sympathy can help the judge to

⁹ Right to privacy within marriage in india <https://www.rsrr.in/post/right-to-privacy-within-marriage-in-india>
Right to privacy v/s matrimonial rights <https://www.rsrr.in/post/right-to-privacy-within-marriage-in-india>
Marriage, togetherness, and privacy https://medium.com/@blaise_8367/the-marriage-equation-balancing-privacy-and-togetherness-6b16354690b7

understand the situation of the people involved better. However, the decisions made should always be made on the basis of evidence first. For example, the judge can sympathise with the accused person because he or she comes from a bad background, but the sympathy should not be enough to let the accused person go free when the evidence shows that he or she is guilty.

However, emotions are not totally ignored by the law. Sometimes, human emotions are taken into consideration while deciding the punishment or giving relief. Even the degree of sympathy could be seen while implementing the law, provided it allows room for it. But it has to be within the bounds of the law. Ultimately, it is the boundaries of law that act as a check. They ensure that emotions are not allowed to dominate justice. While emotions of sympathy have a place, they are never supposed to be seen acting alone.

ADULTERY AS A CIVIL WRONG IN MATRIMONIAL¹⁰

However, the intimate act between Pooja and Yaditya is still considered a civil wrong, as they are already married. Their spouses could use the act as a ground for divorce under Section 13(1)(i) of the Hindu Marriage Act of 1955. This is because the act of adultery is considered a fault in marriage.

The above situation aligns with the traditional legal approach that allows emotions to play a role in the case. For instance, a single act of intimacy—resulting from the emotions accumulated over the years—can be excused by the court, as it happened for a short period. However, the continued act of adultery will lead to court action. Therefore, Pooja and Yaditya's act of adultery, despite the decriminalisation of the same by the Supreme Court in the case of *Joseph Shine vs. the Union of India* in 2018, could still be challenged in a civil court and lead to a divorce.

Under Section 13(1)(i) of the Hindu Marriage Act, 1955, either of the spouses can claim a divorce if the other is “living in adultery.” Adultery is defined as voluntary sexual intercourse between a man and a woman outside of marriage. Evidence of a continuous act of adultery is required, though it can also be a single act.¹¹

¹⁰ Constitution of India, Article 21—Right to Life and Personal Liberty.

<https://www.scconline.com/blog/post/2019/02/21/adultery-s-497-ipc-and-s-1982-crpc/>
<https://www.defactolaw.in/post/section-497-adultery-upsc>

¹¹ Role of public morality in constitutional interpretation <https://www.scobserver.in/journal/what-is-the-role-of-constitutional-morality-in-legal-interpretation/>
Public morality vs constitutional morality: <https://www.ijfmr.com/papers/2025/4/52490.pdf>

ROLE OF PUBLIC MORALITY IN LEGAL INTERPRETATION

Public morality has always been an important factor in the interpretation and application of the law. This is because the courts do not operate in a vacuum. The people in the courts, the judges, and the litigants are all part of the same environment. This has made the law take into account public morality. Public morality is the general right and wrong that people in a certain environment believe in at a certain time. It is the general public's moral values. In the past, the law was very much based on traditional public morality. However, the fact that public morality is dynamic and changes over time has made the law change to keep up. The courts sometimes encounter situations where the law does not support the changing public morality. In such situations, the courts interpret the law to be in line with the changing public morality.

On the flip side, too much reliance on public morality may also be a risk. This is because society is a melting pot of people with different views. Some people may be for a particular thing, while others may be against it. Thus, the law needs to strike a balance between public morality and the Constitution. In the application of public morality, the law is not fully controlled by it. It only provides a guiding principle that reminds the law that it is for the people. It is a reminder that the law should be realistic. It should be a law that works in the real world.

It is important to note that the law is not isolated from society, as judges, lawyers, and individuals who come to the law are all part of the same environment. Because of this, it is possible for the law to mirror the values and beliefs of society at a given time. Public morality could be defined as the shared concepts of right and wrong that individuals in a community believe in. These concepts are not constant but are instead constantly evolving as society evolves. What was believed to be right at one time could be believed to be wrong at another time. Because of this, it is possible for the law to evolve as well and mirror the changing values of society. For instance, in a case such as *Joseph Shine v. Union of India*, the law was seen as being outdated, as it did not mirror the values of equality and freedom of the individual as they are believed in today.

However, overreliance on public morality may lead to problems. The public consists of different people, and they have different views, cultures, and beliefs. What may be right for one public may not be right for another. This difference in views may pose a challenge to the reliance on public morality in the formulation and administration of justice. Therefore, there is

Analysis of morality and law <https://www.lawjournal.info/article/113/4-1-44-656.pdf>

a need for the law to strike a delicate balance between public morality and the provisions of the Constitution of India. The provisions of the Constitution, such as equality, liberty, and dignity, offer a sense of stability. In this case, public morality acts as a guide. It ensures that the law does not lose touch with reality and the people. It ensures that the law meets the people's needs.

CONCLUSION

The hypothetical situation involving Pooja and Yaditya is still very relevant in modern society because similar emotional reunions and confrontations still occur in the modern era. In the hypothetical situation, Pooja and Yaditya were previously in a relationship, were separated because of family pressure, and finally met after ten years, resulting in an emotional and intimate relationship. This is a real-life situation because people still have emotional relationships, especially in a modern era where people have become connected through the use of social media and other interactions. Modern relationships have become more complex than those in the past, and people make decisions based on past emotional relationships. Adultery was decriminalised in 2018, which implies that the act will not be considered a criminal offence in the modern era. However, it still has some legal implications in matrimonial law.

In deciding this case, the law would differentiate between emotions and responsibility. Although the law would take into consideration the emotional attachment between Pooja and Yaditya, the case would largely be decided based on law and evidence. Since the law does not consider adultery a crime, Pooja and Yaditya would not be penalised for their offence. However, if Pooja's husband files a case, the law would consider this a civil wrong and would allow divorce based on this offence. The law might also encourage counselling between the couple before allowing divorce, provided this was a one-time offence rather than a regular practice.

In the modern legal context, it is a balance between emotions and professional obligations. They are aware of the complexities of relationships but cannot act solely based on feelings or past emotional associations. What is important here is the concept of justice, evidence, and the protection of marital rights. This makes the above hypothetical situation relevant in the modern context because it clearly shows the evolution of law in response to social changes while maintaining boundaries of trust in marriage relationships.