



# Same-Sex Marriage in India: Supreme Court Ruling

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## Introduction to Same-Sex Marriage in India

Same-sex marriage has been a contentious issue in India for many years. While there have been significant strides towards LGBTQ+ rights globally, the situation in India has been complex.

The legal landscape surrounding same-sex relationships in India has evolved over the years, with twists and turns that reflect societal attitudes and changing perceptions. In 1861, India inherited a colonial-era law known as [\(Kar et al., 2018\)](#) Section 377 of the Indian Penal Code, which criminalized "carnal intercourse against the order of nature." ## Initial Decriminalization of Same-Sex Acts In 2009, the Delhi High Court took a progressive stance and decriminalized consensual acts of same-sex adults in private. This landmark judgement of the Delhi High Court revoked [\(Saraff et al., 2022\)](#) Section 377, recognizing that it violated the fundamental rights of life, liberty, and equality guaranteed by the Constitution of India [\(Banwari et al., 2015\)](#).

However, this victory for LGBTQ+ rights was short-lived. In December 2013, the Supreme Court of India set aside the Delhi High Court verdict and reinstated Section 377. This judgement by the Supreme Court was met with widespread criticism and disappointment, as it effectively recriminalized gay sex even between consenting adults.## Supreme Court's 2018 Judgement and Decriminalization of Same-Sex Marriage In a historic ruling on 6 September 2018, the Supreme Court of India overturned its previous decision and invalidated part of Section 377 of the Indian Penal Code [\(Yr et al., 2022\)](#). This landmark judgement decriminalized same-sex relationships, effectively paving the way for better future for the LGBTQ+ community in India. The Supreme Court's 2018 judgement was a significant step towards recognizing and protecting the rights of sexual minorities in India.

The Supreme Court's judgement was based on the principle of equality and non-discrimination enshrined in the Indian Constitution. The court recognized that criminalizing same-sex relationships violated fundamental rights and perpetuated discrimination against the LGBTQ+ community. The judgement emphasized that sexual orientation is an intrinsic aspect of an individual's identity and should not be considered as unnatural or criminal. This judgement by the Supreme Court of India not only decriminalized same-sex relationships but also opened the door for further advancements in LGBTQ+ rights.

It acknowledged the importance of dignity, autonomy, and privacy in the lives of LGBTQ+ individuals, affirming that they are entitled to the same rights and protections as any other individual. The Supreme Court's 2018 judgement also had implications for same-sex marriage in India. While the Supreme Court's judgement did not specifically address same-sex marriage, it laid the foundation for future discussions and potential legal recognition of same-sex partnerships. It recognized that the legal recognition and protection of same-sex relationships is essential for the fulfillment of rights to equality, nondiscrimination, privacy, dignity, health, and freedom of expression. Furthermore, the Supreme Court's judgement set a precedent for other institutions and legislatures to consider further advancements in LGBTQ+ rights, including the possibility of legal recognition of same-sex marriage in India.

This judgement was a significant milestone in the fight for LGBTQ+ rights in India, as it marked a departure from the previous regressive interpretation of Section 377.

## Historical Background of Homosexuality in Indian Culture

In ancient Indian culture, homosexuality was not criminalized or stigmatized. In fact, there are various references to same-sex love and relationships in ancient Indian texts such as the Kamasutra. These texts depict a more inclusive and accepting attitude towards diverse sexual orientations and relationships. However, with the arrival of colonialism in India, attitudes towards homosexuality began to change. Colonial powers, particularly the British, introduced Victorian-era morals and imposed their own homophobia onto Indian society. These colonial influences led to the criminalization of homosexuality under Section 377 of the Indian Penal Code, which was enacted in 1861 [\(Herridge et al., 2019\)](#). The section stated that "Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal shall be punished with imprisonment for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine." Supreme Court Judgement on Same-Sex Marriage in India

The Supreme Court of India, in its 2018 judgement on Section 377, did not specifically address same-sex marriage. However, the judgement laid the foundation for future discussions and potential legal recognition of same-sex partnerships in India.

The judgement recognized that the legal recognition and protection of same-sex relationships is essential for the fulfillment of rights to equality, nondiscrimination, privacy, dignity, health, and freedom of expression as laid down in the Indian constitution ([Rao & Mason, 2018](#)). Additionally, the court emphasized that the rights of individuals cannot be determined by societal or moral perceptions and that sexual orientation is an innate characteristic. The Supreme Court of India further acknowledged that LGBTQ+ individuals have the right to live with dignity and that discrimination on the basis of sexual orientation is a violation of their fundamental rights. The judgement also highlighted the importance of inclusivity and acceptance in society, encouraging a shift from regressive attitudes towards homosexuality. While the Supreme Court of India's judgement on Section 377 did not specifically address same-sex marriage, it laid the foundation for future discussions and potential legal recognition of same-sex partnerships in India.

This landmark judgement marked a significant step towards equality and non-discrimination for the LGBTQ+ community in India.

It paved the way for further progress in the recognition and protection of same-sex relationships, including the potential legalization of same-sex marriage. Overall, while the specific topic of same-sex marriage was not directly addressed in the Supreme Court's judgement on Section 377, the ruling laid a strong foundation for the recognition and protection of LGBTQ+ rights, including the potential future legalization of same-sex marriage in India. In conclusion, the Supreme Court of India's judgement on Section 377 in 2018 marked a significant step towards equality and non-discrimination for the LGBTQ+ community in India.

It recognized the importance of legal recognition and protection of same-sex relationships, highlighted the fundamental rights of LGBTQ+ individuals, and emphasized the need for inclusivity and acceptance in society.

The judgement given by the Supreme Court of India in 2018 on Section 377 was a landmark decision that decriminalized same-sex relationships and recognized the rights of LGBTQ+ individuals ([Yr et al., 2022](#)).

## Legal Challenges Faced by Same-Sex Couples in India

Despite the decriminalization of same-sex relationships, same-sex couples in India continue to face legal challenges and discrimination in terms of their relationship recognition and rights. Currently, same-sex marriage is not legally recognized in India. As a result, same-sex couples do not have the same legal benefits and protections as heterosexual couples. They are unable to enjoy rights such as inheritance, adoption, and joint property ownership. Furthermore, without legal recognition, same-sex couples face difficulties in accessing healthcare and insurance benefits for their partners. ## Supreme Court's Ruling on Same-Sex Marriage in India As of now, the Supreme Court of India has not given a specific judgement on same-sex marriage in the country. The court's ruling on Section 377 in 2018, while not explicitly addressing same-sex marriage, laid a strong foundation for the recognition and protection of LGBTQ+ rights, including the potential legalization of same-sex marriage. This ruling recognized the fundamental rights of LGBTQ+ individuals and emphasized the need for inclusivity and acceptance in society. It is important to note that the legal landscape regarding same-sex marriage in India may continue to evolve, and future judgements or legislative actions may provide further clarification on the issue of same-sex marriage in India. In conclusion, while same-sex marriage is not currently legalized in India, the Supreme Court's judgement on Section 377 in 2018 marked a significant step towards equality and non-discrimination for the LGBTQ+ community. This judgement decriminalized same-gender attraction and recognized the rights of LGBTQ+ individuals, but it did not specifically address the issue of same-sex marriage in the country.

The Supreme Court's ruling in 2018 on Section 377 set a precedent for acknowledging the fundamental rights of LGBTQ+ individuals and creating a more inclusive society.

It is important to continue advocating for the legal recognition of same-sex marriage in India to ensure that all individuals, regardless of their sexual orientation, have equal access to the rights and benefits associated with marriage. The Supreme Court of India's ruling in 2018 was a landmark decision that overturned the colonial-era law criminalizing gay sex and recognized the rights of LGBTQ+ individuals. This ruling has opened the door for further discussions and legal advancements towards the recognition of same-sex marriage in India. Legal recognition and protection of same-sex relationships and marriage is a crucial step in ensuring the dignity, equality, and rights of LGBTQ+ individuals in India ([Rao & Mason, 2018](#)).

However, it is important to note that while the decriminalization of same-gender attraction has been achieved, the specific legalization of same-sex marriage is yet to be realized in India. The Supreme Court's ruling on Section 377 in 2018 did not explicitly address same-sex marriage. Therefore, while there is progress towards LGBTQ+ rights and acceptance in India, further legal reforms or judicial decisions may be necessary to fully legalize same-sex marriage in the country. In conclusion, while the Supreme Court of India's ruling on Section 377 in 2018 was a significant milestone in recognizing the rights of LGBTQ+ individuals and decriminalizing same-gender attraction, the issue of same-sex marriage in India remains unresolved ([Yr et al., 2022](#)).

In conclusion, the Supreme Court of India's historic judgement in September 2018 regarding the decriminalization of Section 377 was a significant step forward in promoting equality and non-discrimination for the LGBTQ+ community. However, it is important to recognize that the judgement did not directly address the issue of same-sex marriage in India.

Therefore, while the decriminalization of same-gender attraction has been achieved, the specific legalization of same-sex marriage is yet to be realized in India. The fight for legal recognition of same-sex marriage in India is ongoing, and further advocacy and legal reforms are needed to ensure that LGBTQ+ individuals have equal access to the institution of marriage.

## The Supreme Court's Role in Advocacy for Same-Sex Marriage

The Supreme Court of India has played a crucial role in advocating for the rights of the LGBTQ+ community and pushing for progress towards legal recognition of same-sex marriage. Its ruling in 2018, which declared Section 377 of the Indian Penal Code unconstitutional, was a groundbreaking moment in the fight for LGBTQ+ rights in India ([Herridge et al., 2019](#)). With this judgement, the Supreme Court affirmed that consensual same-sex relationships should not be criminalized and recognized the importance of



dignity, privacy, and equality in the lives of LGBTQ+ individuals. The Supreme Court's judgement in September 2018 regarding the decriminalization of Section 377 was a significant milestone in recognizing the rights of LGBTQ+ individuals in India.

However, it is important to note that the Supreme Court's judgement did not explicitly address the issue of same-sex marriage.

This means that while same-gender attraction is no longer criminalized, the legalization of same-sex marriage in India remains unresolved. The Supreme Court's judgement opened the doors for further discussions and progress towards recognizing same-sex marriage, but it did not provide a direct ruling on the matter. The road to legal recognition of same-sex marriage in India continues, and it will require further advocacy efforts and potential legal reforms. ## The Need for Legal Recognition of Same-Sex Marriage in India

The legal recognition of same-sex marriage in India is crucial for the LGBTQ+ community to achieve full equality. Currently, without the legalization of same-sex marriage, LGBTQ+ individuals in India are denied the same rights and benefits that heterosexual couples enjoy. This includes financial benefits, inheritance rights, access to healthcare and insurance, and the ability to make medical decisions for their partners. Moreover, marriage provides a sense of validation and social recognition for individuals in committed same-sex relationships. It also establishes a framework for legal protections and responsibilities, allowing same-sex couples to fully participate in society and have their relationships recognized and valued. In addition, legal recognition of same-sex marriage would contribute to the overall well-being and mental health of LGBTQ+ individuals in India. Research has shown that legal recognition of same-sex marriage is associated with improved mental health outcomes for LGBTQ+ individuals. This includes reductions in depression, anxiety, and suicide rates, as well as increased self-esteem and overall life satisfaction. Moreover, legal recognition of same-sex marriage is necessary to challenge the societal stigma and discrimination faced by LGBTQ+ individuals in India.

It sends a powerful message that their relationships are equally valid and deserving of recognition and support. Additionally, the legal recognition of same-sex marriage can also promote social acceptance and equality in Indian society. By granting same-sex couples the right to marry, it challenges traditional norms and encourages society to view LGBTQ+ relationships as equal and valid. The Supreme Court of India's judgement in the case pertaining to Section 377 of the Indian Penal Code marks a significant step towards achieving legal recognition of same-sex marriage in India. In its judgment, the Supreme Court of India decriminalized consensual same-sex relationships and recognized the equal rights and dignity of LGBTQ+ individuals. However, it is important to note that the judgment specifically addressed decriminalization and did not legalize same-sex marriage. The Supreme Court's judgment acknowledged the importance of equality, privacy, dignity, and freedom of expression for LGBTQ+ individuals, laying the foundation for future discussions and progress towards legal recognition of same-sex marriage in India.

## Analysis of the Supreme Court Judgement on Same-Sex Marriage

The Supreme Court of India's judgement on decriminalizing consensual same-sex relationships in the case pertaining to Section 377 of the Indian Penal Code is a major milestone in the fight for LGBTQ+ rights in India. It acknowledges and upholds the principles of equality, privacy, dignity, and freedom of expression for LGBTQ+ individuals. The judgement recognizes that criminalizing same-sex relationships is a violation of these fundamental rights and sends a powerful message about the equal worth and value of LGBTQ+ relationships. It is important to note, however, that the judgement specifically addresses decriminalization and does not legalize same-sex marriage.

Legal recognition of same-sex marriage in India still remains a crucial and pending issue. The Supreme Court's judgement paves the way for further discussion and progress towards achieving legal recognition of same-sex marriage in India.

The judgement recognizes the importance of equality and non-discrimination, principles that are fundamental to the Indian constitution. The Supreme Court acknowledges that denying same-sex couples the right to marry is a form of discrimination, and it highlights the need for legal recognition and protection of same-sex relationships. Additionally, the Supreme Court's recognition of the rights and dignity of LGBTQ+ individuals sets a precedent for future legal battles and advocacy efforts aimed at achieving full equality for LGBTQ+ individuals in India. This judgement signals a significant shift in societal attitudes towards LGBTQ+ rights in India and paves the way for a more inclusive and accepting society. While the Supreme Court's judgement does not explicitly legalize same-sex marriage, it lays the foundation for future discussions and progress towards legal recognition.

This includes the recognition of same-sex marriage as a fundamental right and the implementation of laws that safeguard the rights, privacy, dignity, and freedom of expression of LGBTQ+ individuals. It is important to note that the journey towards achieving legal recognition of same-sex marriage in India is ongoing, and it will require continued advocacy, awareness raising, and legal efforts. The Supreme Court's judgement on Section 377 of the Indian Penal Code is a step towards achieving equality and dignity for LGBTQ+ individuals in India. Furthermore, it sets a precedent for future legal challenges and highlights the need for comprehensive legislation that protects the rights of LGBTQ+ individuals, including the right to marry. In conclusion, the judgement given by the Supreme Court of India in 2018 decriminalizing consensual same-sex acts was a significant milestone in the fight for LGBTQ+ rights in India. However, it is crucial to recognize that legal recognition of same-sex marriage still remains an important and pending issue in India. As of now, same-sex marriage is not legally recognized in India. However, the Supreme Court's ruling on Section 377 opened the door for further discussions and potential legal advancements towards recognizing same-sex marriage in the future. It is important to continue advocating for the rights of LGBTQ+ individuals and pushing for legal reforms that will ensure full equality and recognition for same-sex couples in India. In the historic judgement given by the Supreme Court of India in September 2018, Section 377 of the Indian Penal Code was struck down as unconstitutional, decriminalizing consensual same-sex acts between adults. This landmark ruling was a result of years of advocacy and legal challenges by LGBTQ+ activists and allies, and it marked a significant shift in societal attitudes towards same-sex relationships in India.

The Supreme Court's judgement recognized the inherent rights and dignity of LGBTQ+ individuals, emphasizing the principles of equality, non-discrimination, privacy, and freedom of expression enshrined in the Indian constitution. The judgement not only invalidated the criminalization of same-sex acts, but it also laid the groundwork for further progress in the fight for LGBTQ+ rights

in India, including the potential legalization of same-sex marriage. In addition, the High Court of Madras in its 2021 judgement further protected the rights of sexual minorities by banning 'conversion therapies,' which aimed to change a person's sexual orientation or gender identity through harmful practices ([Yr et al., 2022](#)).

This ruling is a significant step towards protecting the rights and well-being of LGBTQ+ individuals in India.

It acknowledges their fundamental freedoms and affirms their right to love and form relationships without fear of prosecution or discrimination. Furthermore, the judgment recognizes that discrimination and prejudice against the LGBTQ+ community can have serious consequences on their mental health and overall well-being.

The decriminalization of same-gender attraction and the ban on conversion therapies are important milestones in the fight for LGBTQ+ rights in India. They signify a shift in societal perceptions and attitudes towards LGBTQ+ individuals, promoting acceptance, inclusivity, and equality. These legal changes pave the way for a more progressive and inclusive society, where individuals are free to express their gender identities and sexual orientations without fear of persecution or harm.

## Societal Reactions to the Legalization of Same-Sex Marriage in India

The Supreme Court's judgment decriminalizing same-sex acts and paving the way for potential legalization of same-sex marriage in India has received mixed responses from society ([Dhal, 2022](#)). Some segments of society have welcomed the judgment, recognizing it as a significant step towards equality and LGBTQ+ rights.

They celebrate the recognition of LGBTQ+ individuals' inherent rights and the acknowledgment of their right to love and form relationships without fear. Others, however, have expressed concerns and opposition to the judgment based on cultural and religious beliefs.

They argue that same-sex marriage goes against traditional cultural values and religious teachings. They worry that legalizing same-sex marriage may undermine the sanctity of heterosexual marriage or lead to a breakdown of family structures. Additionally, there are concerns raised regarding the impact on children and the perceived threat to traditional gender roles. These reactions highlight the existence of deep-rooted social stigmas, cultural barriers, and religious conservatism that continue to hinder complete acceptance and inclusion of the LGBTQ+ community in India. Nevertheless, it is important to recognize that societal attitudes can evolve over time. With the decriminalization of same-sex acts and the potential legalization of same-sex marriage, there is hope that society will become more accepting and inclusive of diverse sexual orientations and gender identities.

## The Mental Health Impact of Same-Sex Marriage Legalization in India

The legalization of same-sex marriage in India has the potential to significantly impact the mental health of LGBTQ+ individuals. Policy makers could play a crucial role in alleviating distress and promoting mental health among LGBTQ issues ([Nebhinani & Kuppili, 2018](#)).

The Supreme Court of India decriminalizing homosexuality is a step forward in this direction. By legalizing same-sex marriage, it provides LGBTQ+ individuals with the opportunity to have their relationships recognized and validated on a societal and legal level ([Maine, 2022](#)).

This recognition can have positive effects on mental health by reducing stigma, promoting self-acceptance, and improving overall well-being. Moreover, the ability to marry enables same-sex couples to access the ideated 'gold standard' of relationship recognition, which has been argued to be at the 'top' of a sexual status hierarchy. Importantly, recent policy changes for LGBT populations have been associated with protective health effects for sexual minorities that may help counteract the increased need for medical and mental health care among these populations ([Gavulic & Gonzales, 2021](#)). Studies have shown that same-sex marriage legalization is associated with lower mental health care use and expenditures among LGBTQ+ individuals.

Data from other countries such as Massachusetts and California indicate that same-sex marriage laws led to fewer mental health care visits and expenditures for gay men, and reduced psychological distress among lesbian, gay, and bisexual adults in legally recognized same-sex relationships ([Aftab & Imanpour, 2022](#)). These findings suggest that the legalization of same-sex marriage in India could have similar positive impacts on the mental health of LGBTQ+ individuals. Moreover, research has shown that same-sex marriage recognition or legalization can address the negative consequences that same-sex couples without legal recognition face ([Sansri et al., 2022](#)). For instance, same-sex couples without legal recognition may experience sexual orientation discrimination, health problems, mental health problems, partnership instability, and even increased rates of suicide. By providing legal recognition and protection for same-sex marriages, the Supreme Court of India has taken a step towards alleviating these disparities and promoting equality among LGBTQ+ individuals.

## Implications and Effects of the Judgement on the LGBTQ+ Community

The judgement of the Supreme Court of India decriminalizing homosexuality and recognizing same-sex relationships has significant implications for the LGBTQ+ community in India.

Firstly, it affirms the dignity and rights of LGBTQ+ individuals, recognizing their right to equal treatment and protection under the law. Secondly, the judgement contributes to reducing the stigma and discrimination faced by LGBTQ+ individuals in Indian society. This landmark judgement also paves the way for greater acceptance and inclusivity of LGBTQ+ individuals in all areas of life, including education, employment, housing, and healthcare. Thirdly, the legal recognition of same-sex relationships provides important psychological benefits to LGBTQ+ individuals.

It fosters a sense of legitimacy and validation, easing the internalized stigma and societal pressure that may negatively impact their mental well-being. Furthermore, the judgement can also improve access to healthcare services for LGBTQ+ individuals. This includes



mental health services, as individuals may feel more comfortable seeking help without fear of judgment or discrimination. Additionally, the judgement has a positive impact on the overall well-being and happiness of individuals in same-sex relationships. Research suggests that legal recognition of same-sex marriage can lead to improved mental and physical health outcomes for LGBTQ+ individuals (Marchia, 2018). Moreover, the judgement has broader societal implications. It signals a shift towards a more inclusive and progressive society, promoting diversity, and challenging discriminatory practices. The increased visibility and acceptance of LGBTQ+ individuals in society can lead to positive attitudinal changes and a reduction in prejudice and discrimination. The impact of the Supreme Court's judgement on same-sex marriage in India is significant. It signifies a step towards greater equality and inclusion for the LGBTQ+ community in India. Overall, the judgement by the Supreme Court of India regarding same-sex marriage has had a mixed response from society. While it has been celebrated by LGBTQ+ advocates as a landmark victory for equality and human rights, there is also resistance and backlash from conservative groups who view it as a threat to traditional values. However, it is important to recognize that the judgement is a crucial step towards dismantling discrimination and promoting mental health and well-being among LGBTQ+ individuals in India.

The Supreme Court of India's judgement decriminalizing homosexuality and recognizing same-sex marriage is a significant milestone for LGBTQ+ rights in India (Nebhinani & Kuppili, 2018).

It represents a major shift towards equality and inclusivity, not only legally but also in terms of societal attitudes and acceptance. This landmark decision provides legal protection and recognition for same-sex couples, allowing them to enjoy the same rights and benefits as heterosexual couples. Additionally, this judgement sends a powerful message to society that love and commitment should not be limited by gender or sexual orientation. It is a recognition of the fundamental rights and dignity of LGBTQ+ individuals and affirms their right to live and love freely. Furthermore, the judgement contributes to the overall well-being and mental health of LGBTQ+ individuals in India. Policy makers have a crucial role to play in ensuring the implementation and enforcement of this judgement, as well as in promoting acceptance and support for the LGBTQ+ community.

## Future Prospects of Same-Sex Marriage in India

The Supreme Court's judgement on same-sex marriage in India has opened the door for further progress and advancements in LGBTQ+ rights. Now that same-sex marriage has been legally recognized, it is likely that other areas of LGBTQ+ rights will also come under scrutiny and be subject to legal reforms. For instance, there may be discussions and potential legal changes regarding adoption rights for same-sex couples, inheritance rights, and workplace protections. Additionally, the judgement can serve as a precedent for other countries grappling with similar issues, providing inspiration and momentum for LGBTQ+ movements around the world. The decriminalization of homosexuality and the recognition of same-sex marriage in India are key steps towards achieving equality and justice for the LGBTQ+ community. They serve as a foundation for further legal and societal changes that will promote inclusivity and ensure equal rights for all individuals, regardless of their sexual orientation or gender identity. Overall, the Supreme Court of India's judgement on decriminalization and recognition of same-sex marriage is a significant victory for LGBTQ+ rights in the country

and sets a positive precedent for future progress.

It is important now for advocacy groups and policy makers to continue to work towards full inclusion and equality for the LGBTQ+ community in India.

This includes addressing issues such as discrimination, prejudice, and violence against LGBTQ+ individuals, implementing comprehensive sex education that includes information on sexual orientation and gender identity, and ensuring access to healthcare services that are sensitive to the needs of LGBTQ+ individuals. Additionally, efforts should be made to raise awareness and change societal attitudes towards LGBTQ+ individuals, challenging existing stereotypes and promoting acceptance and understanding. It is also essential for policymakers to create and implement laws that protect the rights and well-being of LGBTQ+ individuals, including legal recognition of same-sex relationships, adoption rights for same-sex couples, anti-discrimination laws, and protections against hate crimes.

The Supreme Court of India's judgement on decriminalization of consensual same-sex acts and the legal recognition of same-sex marriage mark a significant milestone in the fight for equality and justice for the LGBTQ+ community in India (Yadav, 2022).

It not only acknowledges the inherent human rights and dignity of LGBTQ+ individuals, but also paves the way for further legal and societal changes that will ensure inclusive and equal treatment for all members of the LGBTQ+ community. This judgement signifies a shift towards a more inclusive and progressive society, where all individuals, regardless of their sexual orientation or gender identity, are respected, protected, and afforded the same rights and opportunities as their heterosexual counterparts.

## conclusion

The Supreme Court of India's judgement on decriminalizing homosexuality and recognizing same-sex marriage is a critical step in advancing LGBTQ+ rights and equality in the country (Nebhinani & Kuppili, 2018). It signifies a shift towards a more inclusive and progressive society where all individuals, regardless of their sexual orientation or gender identity, are respected, protected, and afforded the same rights and opportunities as their heterosexual counterparts. These legal advancements are not enough on their own, but they set the stage for further progress and change in societal attitudes towards the LGBTQ+ community. To ensure the full protection and inclusion of LGBTQ+ individuals in Indian society, policymakers, activists, and communities must continue to advocate for comprehensive sex education, anti-discrimination laws, healthcare access, and mental health support. By addressing the societal stigma and discriminatory attitudes that still persist, India can become a more accepting and inclusive society for the LGBTQ+ community. The Supreme Court's judgement on decriminalizing same-sex acts in India was a landmark decision that recognized the rights and dignity of LGBTQ+ individuals (Saraff et al., 2022).

The judgement acknowledges the importance of legal recognition and protection of same-sex relationships and sexual expression for the fulfillment of fundamental rights and the dignity of the LGBTQ+ community.

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