

Navtej Singh Johar vs. Union of India (2018) 10 SCC 1(2018)

- A five-judge SC bench gave a historic, unanimous decision on **Section 377 of the Indian Penal Code, decriminalising homosexuality.**
- The S.C ruled that sexual orientation is an intrinsic element of liberty, dignity, privacy, individual autonomy and equality and that intimacy between consenting adults of the same-sex is beyond the legitimate interests of the state.
- Section 377 was the product of the Victorian era, with its attendant moral values. Victorian morality must give way to constitutional morality.
- That insofar as Section 377 criminalises consensual sexual acts of adults (i.e. persons above the age of 18 years who are competent to consent) in private, is violative of Articles 14, 15, 19, and 21 of the Constitution.