

2023 PLRonline 0108 (Chatt.)

HIGH COURT OF CHHATTISGARH, BILASPUR

Before: Goutam Bhaduri, Sanjay Kumar Jaiswal, JJ

FAM No. 300 of 2018

Priya Sharma v. Sanjit Sharma

(Judgment reserved on 20.06.2023) (Judgment delivered on 13.07.2023)

Hindu Marriage Act, 1955, S. 13(1)(1-a) - Desertion - Not made out - It is not expected that the wife should be treated as hired chattel or a bonded labour to stay under the conditions imposed by the husband- On account of threat to life having been received by wife, she refused to stay along with the in-laws - If the wife apprehends with such a life threat and if she does not want to stay under such threat or conditions which are normal, then in such a case it is not expected that forcibly she would be made to stay at her in-laws' place and thereafter wait for damage to be done, then to cure the same. [Para 10]

The husband cannot be allowed to take advantage of his own deeds. [Para 7]

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