

Hindu Marriage Act, 1955, Section 13(1)(ia) - Cruelty - Wife lodged FIR for Dowry against the husband and his family members who were acquitted - Divorce petition filed by the wife though was allowed by the trial court was set aside by the High Court and dismissal upheld by the Apex Court - In such circumstances, it would cause a reasonable apprehension in the mind of the husband that it was not safe for him to live with the wife - Besides, refusing to attend household chores and showing disrespect to the husband and his family members amounted to cruelty towards the husband - Further, there had been no resumption of co-habitation between the parties and, therefore, the wife was certainly having intention to desert the husband - The finding of desertion recorded by the trial court was not shown to be erroneous or perverse in any manner - Thus, the irresistible conclusion would be that the appellant-wife had treated the husband-respondent with cruelty and had deserted to have separate residence from him - Decree of dissolution of marriage , upheld.

2015 PLRonline 0014 (P&H)

Santro Devi v. Virender Kumar alias Virender Singh , 2015 PLRonline 0014 (P&H)