

In the High Court of Punjab and Haryana at Chandigarh

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**CR No. 6510 of 2017(O&M)
Date of decision: 22.11.2017**

HARPREET SINGH

.....petitioner

Versus

AMARJEET KAUR AND ANR

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.A.S.Barnala, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J (oral)

Petitioner Harpreet Singh was married to Sharanjit Kaur. Respondent No.1 Amarjeet Kaur alleged that her marriage was solemnized with Harpreet Singh on 17.10.2005 and the factum of earlier marriage of Harpreet Singh was not disclosed to her. Two children, namely, Loveleen Singh and Gurleen Singh took birth from this wedlock. Harpreet Singh took divorce from his first wife Sharanjit Kaur on 25.2.2010. Respondent No.1 Amarjit Kaur has asserted that she came to know about the earlier marriage of Harpreet Singh with Sharanjit Kaur only after her marriage. Document RX i.e. an affidavit dated 11.5.2012 was put to respondent No.1 Amarjit Kaur only in her cross-examination. Respondent No.1 has denied the execution of

alleged affidavit, but agreed for its comparison. Be that as it may, the affidavit was introduced only for the first time during cross-examination of Amarjit Kaur.

In para No.2 of the written statement, Amarjit Kaur has specifically denied that before her marriage with Harpreet Singh, he never disclosed to her in respect of his earlier marriage with Sharanjit Kaur, nor replication was filed by the petitioner. Respondent No.1 was known to the petitioner while leading the evidence in affirmative. No expert evidence can be allowed to be led in rebuttal in respect of an issue, the onus of which was on the plaintiff-petitioner himself.

In view of observations made in **Surjit Singh and others vs. Jagtar Singh and others**, 2007(1) RCR (Civil) 537 DB; **Jagdev Singh and others vs. Darshan Singh and others**, 2007(1) RCR (Civil) 794 and **Avtar Singh vs. Baldev Singh**, 2015(1) PLR 230, no indulgence can be granted to the petitioner.

Revision petition is found to be totally devoid of merits and is accordingly dismissed.

(RAJ MOHAN SINGH)
JUDGE

November 22, 2017
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Whether reasoned/speaking

Yes/No