

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

FAO-M-179-2007

Date of decision : 13.09.2019

Jagrup Singh

....Appellant

V/s

Paramjit Kaur

....Respondent

**CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA
HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Harinder Sharma, Advocate for the appellant.

None for the respondent.

RAJAN GUPTA J.

Present appeal is directed against the judgment and decree dated 04.05.2007 passed by District Judge, Bathinda whereby petition filed by appellant seeking dissolution of marriage has been dismissed. Appellant Jagrup Singh and respondent Paramjit Kaur got married on 05.04.1992 by way of Anand Karaj at village Jasseana. Out of the wedlock, two children (a son and a daughter) were born. The alliance turned abnormal soon after marriage. According to appellant, respondent-wife had a quarrelsome nature and there was bickering even on petty issues. She did not even hesitate to humiliate him and his family members in the presence of their relatives and friends. It was alleged that after the marriage, respondent started pressurizing him to live separately from his parents. On refusal by the appellant, respondent-wife had threatened to commit suicide and involved him in false criminal case. As per his version, respondent had left the matrimonial home in his absence and had also tried to commit suicide on two occasions. Many efforts were made to reconcile the matter but nothing

materialized. Appellant-husband ultimately preferred petition under section 13 of the Act seeking dissolution of marriage on the ground that respondent had treated him with cruelty. Upon notice, respondent-wife denied the allegations levelled against her by the appellant. She pleaded that appellant and his family members demanded ₹1 lac in cash and when this demand was not fulfilled, she was thrown out of the matrimonial home after giving beatings. In support of his case, appellant himself stepped into the witness box as PW4 and examined three other witnesses. Likewise, respondent also stepped into witness-box and three other witnesses supported her case. The trial court considered the issue of cruelty meted out to appellant. It, however, did not find substance in the same and dismissed his petition. Aggrieved, instant appeal has been filed.

Learned counsel for the appellant submits that court below has misread the evidence on record. According to him, respondent-wife had treated the appellant with cruelty and this fact has been completely ignored by the court below. The judgment and decree passed by the court below is erroneous and deserves interference by this court.

We have heard learned counsel for the appellant and reappraised the evidence on record. It transpires that in the cross-examination of one of the witness of appellant Buta Singh-PW2, he has stated that no dispute has ever taken place between the parties in his presence. Moreover, appellant in his cross-examination has also failed to tell the date(s) when respondent tried to commit suicide on two occasions. This fact has been denied by respondent-wife while appearing in the witness box. She has stated that she has been thrown out of the matrimonial home on account of bringing insufficient dowry. Keeping in view deposition of the

witnesses and the facts and circumstances of the case, we are of the view that there is no substance in the plea of cruelty raised by the appellant-husband

In view of above, we find no reason to differ from the findings arrived at by the court below. According the appeal is dismissed.

(RAJAN GUPTA)
JUDGE

September13 , 2019
Ajay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No