

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

**FAO-26-2018 (O&M)**

**Date of decision : 16.10.2019**

Rajan Verma

....Appellant

V/s

Sonia Verma

....Respondent

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

Present: Mr. Kapil Khanna, Advocate for the appellant.

Mr. Shivoy Dhir, Advocate for the respondent.

**RAJAN GUPTA J.**

Appellant-husband is aggrieved by the judgment and decree dated 02.05.2017 passed by District Judge (Family Court), Shaheed Bhagat Singh Nagar whereby his petition under section 13 of the Hindu Marriage Act seeking dissolution of marriage has been dismissed. Petitioner-appellant Rajan Verma got married to respondent Sonia Verma on 19.02.2001 as per Hindu rites and ceremonies. After marriage, parties cohabited and two children namely Muskan and Kavya were born out of this wedlock. Unfortunately, differences arose between them after eleven years of marriage. Appellant and respondent levelled allegations and counter allegations against each other. Husband alleged that respondent-wife was having illicit relations with one Rohit leading to bickering and strained relationship between them. It was alleged that he made number of attempts to reconcile the dispute but all efforts proved futile. As per his version, on

cause and did not join his company thereafter. The husband (appellant herein) ultimately preferred instant petition before the trial court seeking divorce on the ground that respondent had treated him with cruelty. His wife (respondent herein) refuted the allegations levelled by the husband in her written statement. She, on the other hand, alleged that she was harassed by the appellant-husband and his family members for bringing less dowry. On the instigation of the family members, appellant-husband used to abuse and beat her mercilessly. Both the parties adduced their evidence in support of their respective stands. The trial court primarily considered the issue of cruelty. On the basis of evidence led by the parties, it did not find substance in the same and dismissed the petition filed by the appellant-husband. Present appeal emanates from the said petition.

Learned counsel for the appellant has argued that the judgment passed by the court below is erroneous and deserves interference by this court. He has reiterated the same stand as taken before the court below.

We have heard learned counsel for the parties and reappraised the evidence. It was alleged by the appellant-husband that respondent was having an extra marital affair. However, he has not produced any evidence on record to substantiate this allegation. Moreover, he has not impleaded the adulterer as a party before the court below. No cogent evidence has been adduced by the appellant-husband to establish that he has suffered mental as well as physical cruelty. Even counsel for the appellant has failed to refer to any evidence on record which has either been misread or misinterpreted by the Family court while deciding the issue pertaining to cruelty.

In view of above, we are of the view that no interference in the

judgment and decree passed by the court below is called for. Accordingly, instant appeal is dismissed.

(RAJAN GUPTA)  
JUDGE

October 16, 2019  
*Ajay*

(MANJARI NEHRU KAUL)  
JUDGE

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