

FAO-M-292 of 2018 (O&M)

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

FAO-M-292 of 2018 (O&M)
Date of Decision: 01.06.2022

Gaurav Sharma

...Appellant

Versus

Deepa Sharma

....Respondent

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present:- Appellant-Gaurav Sharma in person
with Mr. Parminder Singh, Advocate.

Respondent-Deepa Sharma in person
with Mr. Amandeep Vashisth, Advocate.

RITU BAHRI, J. (ORAL)

The appellant-husband has come up in this appeal against the judgment and decree dated 10.09.2018 passed by the Additional District Judge, Yamuna Nagar at Jagadhri, whereby petition filed by him under Section 13 of the Hindu Marriage Act, 1955 (for short 'the HMA') has been dismissed.

Marriage of the appellant with respondent was solemnised on 14.02.2014 at Sadhaura, District Yamuna Nagar according to Hindu rites and ceremonies. A girl child was born from the said wedlock. Appellant filed petition under Section 13 of the HMA for grant of divorce on the ground of cruelty, which has been dismissed by the Family Court vide impugned judgment and decree.

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Vide order dated 04.02.2022, the appeal was converted into petition under Section 13-B of the HMA. Affidavit dated 04.02.2022 of respondent-Deepa Sharma is part of the record in which she has stated that she is ready to give divorce to appellant-Gaurav Sharma without taking any permanent alimony for herself and her daughter from the appellant. Detail of nine cases was placed on record, which were pending between the parties. Even the appellant had stated that he will withdraw the case against the respondent. On 04.02.2022 statements of both the parties were also recorded in Court to the effect that they will withdraw all the cases against each other. On 19.05.2022, learned counsel for the respondent had placed on record copy of the order dated 26.04.2022 whereby appeal bearing No.CRA-AD-114 of 2019 – Deepa Sharma v. State of Haryana and others – against acquittal filed by the respondent was dismissed as withdrawn.

Today both the parties are present in Court and have recorded their second motion statements to the effect that they have withdrawn all the cases against each other and will not initiate any criminal proceedings against each other in future.

It is being further observed that criminal proceedings in CRA-AD-114 of 2019 will not have any affect on the future career and life of brother of appellant, namely, Abhinav Sharma inasmuch as on account of matrimonial dispute between the parties he had to face litigation.

In view of the above, petition is allowed. Judgment and decree dated 10.09.2018 passed by the Additional District Judge, Yamuna Nagar at Jagadhri, is set aside and parties are granted divorce by way of mutual

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consent.

Decree-sheet be prepared, accordingly.

(Ritu Bahri)
Judge

June 01, 2022
R.S.

(Ashok Kumar Verma)
Judge

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No