CGHC010175082024 2026:CGHC:45900-DB

**NAFR**

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**FA(MAT) No. 162 of 2024**

Vinay Kumar Patle S/o Amritlal Patle Aged About 35 Years R/o Village- Gadhola, Tahsil And Police Station- Janjgir, District- Janjgir-Champa, Chhattisgarh

**... Appellant (s)**

**versus**

Smt. Pooja Patle W/o Shri Vinay Kumar Patle Aged About 27 Years At Present R/o Village Bhaison, Tahsil And Police Station- Pamgarh, District- Janjgir-Champa, Chhattisgarh

**... Respondent(s)**

| | | |
|---|---|---|
| For Appellant | : | Mr. Jitendra Kumar Saxena, Advocate |
| For Respondent | : | Mr. A.D. Kuldeep, Advocate |

**D.B. : Hon'ble Shri Justice Parth Prateem Sahu & Hon'ble Smt. Justice Sushma Sawant**

**Judgment on Board**

**29/10/2026**

Per **Parth Prateem Sahu, J.**

1. This appeal under Section 19 of the Family Courts Act, 1984 is directed against the judgment and decree dated 28.03.2024 passed by learned Additional Principal Judge, Family Court, Janjgir, District- Janjgir Champa in Civil Case No.142-A/2022 whereby application preferred by

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appellant/applicant (husband) under Section 13 of the Hindu Marriage Act, 1955 (for short, "*the Act of 1955*"), seeking dissolution of marriage by a decree of divorce on the ground of cruelty and desertion has been dismissed.

2. Facts necessary for the disposal of the present appeal are that the appellant/applicant (husband) filed an application under Sections 13 of the Act of 1955, before the Family Court, Janjgir, District- Janjgir-Champa, seeking dissolution of his marriage with the respondent/non-applicant (wife) on the pleadings *inter alia* that the marriage between the appellant (applicant) and the respondent (non-applicant) was solemnized on 06.05.2017 at Village- Bhaison, Tehsil Pamgarh, in accordance with Hindu rites and rituals. After the marriage, respondent-wife resided with the appellant-husband at her matrimonial home and their relationship remained cordial for approximately six months. A son, aged about two years was born out of the said wedlock. It was further pleaded by the appellant/applicant that the respondent/non-applicant persistently pressurized him to live separately from his parents and other family members. Consequently, approximately six months after the marriage, appellant/applicant acceded to her demand and started residing separately from his parents along with the respondent/non-applicant. However, despite fulfilling her demand, respondent/non-applicant continued to subject the appellant/applicant to cruelty. It was further alleged that on 04.12.2018, respondent/non-applicant of her own volition, left the matrimonial home and returned to her parental home. At the time of leaving, she allegedly took with her a sum of approximately Rs.1,50,000/-, along with jewellery, ornaments and other miscellaneous

articles from the appellant's household. The applicant further pleaded that a criminal case was registered against him and his other family members under Sections 498-A/34 of the IPC at Police Station Janjgir. The said case was presented before the Court of the Chief Judicial Magistrate, Janjgir, on 02.08.2019 and is stated to be pending adjudication. The respondent also instituted proceedings against the appellant, his parents and siblings under the provisions of the Protection of Women from Domestic Violence Act, 2005, before the Court of the Judicial Magistrate First Class. It was further averred by the applicant that he, along with his family members, made several efforts through social intervention and other means to persuade the respondent/non-applicant to return to the matrimonial home and resume cohabitation. However, respondent/non-applicant categorically refused to reside with the appellant/applicant. In this regard, proceedings were also initiated before the Family Counselling Centre, Janjgir, wherein counselling was conducted on 23.03.2019 in Case No. 476/18. However, the respondent/wife remained unwilling to resume matrimonial life with the appellant, and consequently, the proceedings were closed at the Counselling Centre. On the basis of the aforesaid pleadings and allegations, appellant/applicant sought a decree of divorce against the respondent/non-applicant.

3. In her written statement respondent/non-applicant (wife) has denied all the facts pleaded in the application filed by the applicant and further stated that a few months after the marriage, non-applicant discovered that the applicant was having an illicit relationship with his sister-in-law, after which the applicant began harassing her. At that time, non-applicant was pregnant, and her mother-in-law and sister-in-law mixed soda in her milk,

causing her two-month-old pregnancy to abort. When the non-applicant became pregnant again, her husband, mother-in-law, father-in-law, brother-in-law and sister-in-law attempted to abort. However, they were unsuccessful, and nine months after the pregnancy, a son was born, who is currently with the non-applicant. Non-applicant's father gave Rs.10,00,000/- as a dowry at the time of the marriage and provided goods as per his means. Despite that, he used to demand a four-wheeler and cash from the non-applicant and got the non-applicant harassed by beating her. On 04.12.2018, applicant assaulted non-applicant. Subsequently, on 05.12.2018, Janjgir police station registered a case under Section 498-A/34 of the IPC, and the case is pending in the Court of the Chief Judicial Magistrate, Janjgir. Since then, non-applicant has resided at her maternal home. Therefore, the application filed by the applicant (husband) be dismissed.

4. On the basis of the pleadings made by the parties, learned Family Court framed following issues for determination:

> “1. Whether the defendant/non-applicant subjected the plaintiff/applicant to physical and mental cruelty?
>
> 2. Whether the defendant/non-applicant deserted the plaintiff/applicant for a period of two years prior to filing of the divorce petition? ”

5. Learned Family Court upon appreciation of pleadings and oral as well as documentary evidence adduced by the parties, answered the aforesaid issues in negative and held that the applicant/plaintiff failed to prove the allegation of cruelty against the non-applicant/defendant. Consequently,

application filed under Section 13 of the Act of 1955 was dismissed by the impugned judgment, which is challenged by appellant/applicant (husband) in the present appeal.

6. Assailing legality, validity, and correctness of the impugned judgment and decree, learned counsel for the appellant/applicant (husband) would submit that learned Family Court has committed an error in dismissing the appellant's claim for divorce without properly appreciating the evidence available on record, particularly the evidence establishing mental cruelty meted out to the appellant by the respondent/wife. Learned counsel further contended that the learned Family Court failed to appreciate that the respondent/wife had been residing separately from the appellant for approximately five years, thereby depriving the appellant of marital companionship and conjugal relations, which had caused him mental agony and suffering. It was further submitted that the respondent/wife had levelled unfounded and baseless allegations against the appellant regarding his alleged extramarital relationship with the wife of his younger brother. Such scandalous allegations, having been made without any cogent basis or supporting evidence, caused grave mental cruelty to the appellant, but the learned Family Court failed to consider this material aspect while deciding the matter. Learned counsel also submitted that the respondent/wife had lodged an FIR against the appellant and his family members, making false and baseless allegations, pursuant to which a criminal case was registered and charges under Sections 498-A/34 of the Indian Penal Code were framed against them. However, after a full-fledged trial, the appellant and the other accused persons were acquitted of the charges under Sections 498-A/34 of IPC vide judgment dated

20.02.2024 passed in Criminal Case No. 1114/2019. It was further contended that respondent/wife had also instituted proceedings against the appellant and his family members under the Protection of Women from Domestic Violence Act, 2005, in the year 2023, which was subsequently dismissed. Learned counsel further pointed out that the respondent/wife had filed an application seeking maintenance, registered as Case No. 212/2023, which was disposed of vide order dated 19.08.2025, whereby her claim for maintenance was rejected, while maintenance was granted only in respect of the minor child. On the basis of the aforesaid circumstances, learned counsel for the appellant submitted that the respondent/wife, by initiating criminal proceedings against the appellant and his family members on false and unfounded allegations, had subjected the appellant to mental cruelty. It was argued that the cumulative effect of the aforesaid conduct, particularly the unfounded allegations of an extramarital relationship and the initiation of criminal proceedings, clearly established mental cruelty within the meaning of Section 13(1)(i-a) of the Hindu Marriage Act, 1955. However, the learned Family Court failed to appreciate these material circumstances in their proper perspective, thereby rendering the impugned judgment unsustainable in law. In support of his submissions, learned counsel for the appellant placed reliance upon the judgments of the Hon'ble Supreme Court in case of **Samar Ghosh v. Jaya Ghosh** reported in **(2007) 4 SCC 511** and **Naveen Kohli v. Neelu Kohli** reported in **(2006) 4 SCC 558.**

7. Per contra, learned counsel appearing for the respondent/wife would support the impugned judgment and decree passed by the learned Family Court and submit that the learned Family Court, after proper appreciation

of the pleadings and evidence available on record, has rightly dismissed the application preferred by the appellant/husband, as he had failed to establish the grounds of cruelty and desertion as contemplated under Section 13 of the Hindu Marriage Act, 1955. Learned counsel would further submit that the appellant has approached the Court with unsubstantiated and false allegations against the respondent/wife, whereas the respondent was subjected to physical and mental cruelty at the matrimonial home. It was further contended that the appellant has failed to establish that the respondent had deserted him without reasonable cause and against his wishes for a continuous period of not less than two years immediately preceding the presentation of the divorce petition. Mere fact that the respondent initiated criminal proceedings and other legal proceedings against the appellant and his family members for the redressal of her grievances cannot, by itself, constitute mental cruelty. The respondent was constrained to approach the competent authorities and seek legal remedies in view of the harassment and cruelty suffered by her. The appellant cannot claim a decree of divorce merely on the basis of allegations and counter-allegations exchanged between the parties, particularly when the respondent had disclosed the circumstances which compelled her to raise such allegations. Therefore, this appeal be dismissed and impugned judgment and decree passed by the learned Family Court be affirmed.

8. We have heard learned counsel for the respective parties and also perused the records of the Court Family Court.

9. Appellant/applicant (husband) has challenged the impugned judgment and decree whereby learned Family Court dismissed the

application filed by him under Section 13 of the Act of 1955 seeking decree of divorce against respondent/non-applicant (wife) on the ground of cruelty and desertion. The factum of marriage is not in dispute. It is an admitted position that the marriage between the parties was solemnized on 06.05.2017 in accordance with Hindu rites and rituals.

10. Section 13 of the Act of 1955 provides for grant of decree of divorce in certain cases. It enacts that any marriage solemnized whether before or after the commencement of the Act may be dissolved on a petition presented either by the husband or by the wife on any of the grounds specified therein. Clause (i-a) of sub-section (1) of Section 13 envisages that a decree of divorce may be passed by a Court on the ground that after solemnization of marriage, opposite party has treated the petitioner with cruelty. Expression ‘cruelty’ includes both (i) physical cruelty; and (ii) mental cruelty. Cruelty is not defined in the Act of 1955. Physical cruelty can be proved by oral and documentary evidence. As far as mental cruelty is concerned, the same has to be decided based on the facts and circumstances of each case taking into consideration the social standing of the parties.

11. Section 13(1)(i-b) of the Act of 1955 provides desertion as a legal ground for divorce. It allows either spouse to file for the dissolution of marriage if the other party has deserted them for a continuous period of at least two years right before filing the petition.

12. In the present case, respondent/husband (applicant) has enumerated various acts of cruelty alleged to be committed by the appellant/non-applicant (wife). The law on a wife's cruelty against her husband is not as

clear as the other way around. The concept of cruelty under matrimonial law has traditionally been discussed in the context of a husband's conduct towards his wife. There are instances where a wife may be found to have treated her husband with cruelty because cruelty is a matter of conduct, not gender. Matrimonial law does not presume that only one spouse is capable of committing cruelty. Whether the husband or the wife has been cruel depends on the facts and circumstances of each case.

13. During course of hearing, learned counsel for the appellant/husband made argument that learned Family Court fell into error in not considering the fact that appellant proved the mental cruelty upon him by respondent-wife. Learned Family Court fell into error in not considering that as respondent/wife is residing separately since about five years, it caused mental cruelty as appellant was deprived from enjoying conjugal relationship. Respondent-wife has levelled allegation of extramarital relationship with the wife of his younger brother without any proof and basis. Such allegation without any proof and evidence caused mental cruelty upon the appellant/husband which escaped consideration of learned Family Court. Respondent-wife has lodged FIR against the appellant and all family members alleging false allegation on which criminal case was registered and charges under Section 498-A /34 was framed. After full-fledged trial, appellant and the other accused persons therein were acquitted from the charges under Section 498-A/34 in Criminal Case No.1114 of 2019 dated 20th February 2024. He also contended that respondent/wife filed complaint proceeding under the Domestic Violence Act against the appellant and family members in the year 2023 which also came to be dismissed. Respondent- wife filed an

application for maintenance which is registered as Case No.212 of 2023 and disposed of vide order dated 19.08.2025 in which the claim for maintenance of respondent was rejected and the application for maintenance was allowed to the extent of child only. The aforesaid act of dragging the appellant and his family members in criminal case amounts to mental cruelty which learned trial Court overlooked. Therefore, impugned judgment and decree be set aside and suit filed by the appellant/applicant be allowed.

14. To appreciate the ground as taken by learned counsel for the appellant/husband, we have perused the record. Perusal of the reply filed by respondent-wife would show that respondent/wife in para-2 of written statement has specifically pleaded that after some time of marriage non-applicant/respondent came to know that applicant husband is having extra marital relationship/illicit relationship with wife of his younger brother. At the time of recording evidence of prosecution witnesses question has been posed to appellant/applicant Vinay Kumar Patle (PW1) that he is having illicit relationship/extramarital relationship with wife of his younger brother. Vivek Patel younger brother of appellant is examined as PW-2. In para-8 of cross-examination this witness was also posed a question that there is a love affair between appellant/applicant and his wife, which he denied. The allegation of extramarital relation is without any foundation. Allegation of having love affair/illicit relationship/extramarital relation of the appellant/husband with his sister-in-law (wife of younger brother) definitely would amount to a mental cruelty. Such allegation would definitely cause mental pain, agony and suffering. The nature of allegation which is

levelled not only hurt the appellant/husband but also his family member with whom such allegation is leveled residing in the same house.

15. Hon'ble Supreme Court in case of **Vijaykumar Ramchandra Bhate Vs. Neela Vijaykumar Bhate** reported in **(2003) 6 SCC 334** while considering the cruelty caused upon one spouse by another when allegation is leveled of unchastity/extramarital relation with a person outside the wedlock, has observed thus"

> **"7.** The question that requires to be answered first is as to whether the averments, accusations and character assassination of the wife by the appellant husband in the written statement constitutes mental cruelty for sustaining the claim for divorce under Section 13(1)(*i-a*) of the Act. The position of law in this regard has come to be well settled and declared that levelling disgusting accusations of unchastity and indecent familiarity with a person outside wedlock and allegations of extramarital relationship is a grave assault on the character, honour, reputation, status as well as the health of the wife. Such aspersions of perfidiousness attributed to the wife, viewed in the context of an educated Indian wife and judged by Indian conditions and standards would amount to worst form of insult and cruelty, sufficient by itself to substantiate cruelty in law, warranting the claim of the wife being allowed. That such allegations made in the written statement or suggested in the course of examination and by way of cross-examination satisfy the requirement of law has also come to be firmly laid down by this Court. On going through the relevant portions of such allegations, we find that no exception could be taken to the findings recorded by the Family Court as well as the High Court. We find that they are

of such quality, magnitude and consequence as to cause mental pain, agony and suffering amounting to the reformulated concept of cruelty in matrimonial law causing profound and lasting disruption and driving the wife to feel deeply hurt and reasonably apprehend that it would be dangerous for her to live with a husband who was taunting her like that and rendered the maintenance of matrimonial home impossible.

x x x
x x x
x x x

**11**. ……. As to what constitutes the required mental cruelty for purposes of the said provision, in our view, will not depend upon the numerical count of such incidents or only on the continuous course of such conduct, but really go by the intensity, gravity and stigmatic impact of it when meted out even once and the deleterious effect of it on the mental attitude, necessary for maintaining a conducive matrimonial home. If the taunts, complaints and reproaches are of ordinary nature only, the courts perhaps need consider the further question as to whether their continuance or persistence over a period of time render, what normally would, otherwise, not be so serious an act to be so injurious and painful as to make the spouse charged with them genuinely and reasonably conclude that the maintenance of matrimonial home is not possible any longer. A conscious and deliberate statement levelled with pungency and that too placed on record, through the written statement, cannot so lightly be ignored or brushed aside, to be of no consequence merely because it came to be removed from the record only. The allegations levelled and the incidents enumerated in the case on hand, apart from they being *per se*

cruel in nature, on their own also constitute an admission of the fact that for quite some time past the husband had been persistently indulging in them, unrelented and unmindful of its impact. That the husband in this case has treated the wife with intense cruelty is a fact, which became a fait accompli the day they were made in the written statement. They continued on record at any rate till 5-10-1988 and the indelible impact and scar it initially should have created, cannot be said to have got *ipso facto* dissolved, with the amendments ordered. Therefore, no exception could be taken to the courts below placing reliance on the said conduct of the appellant, in this regard, to record a finding against him.

16. Hon'ble Supreme Court in case of **Narendra Vs. K. Meena** reported in **(2016) 9 SCC 455** observed thus:

**"16.** We have carefully gone through the evidence but we could not find any reliable evidence to show that the appellant had an extra-marital affair with someone. Except for the baseless and reckless allegations, there is not even the slightest evidence that would suggest that there was something like an affair of the appellant with the maid named by the respondent. We consider levelling of absolutely false allegations and that too, with regard to an extra-marital life to be quite serious and that can surely be a cause for mental cruelty.

x x x
x x x
x x x

**19.** Taking an overall view of the entire evidence and the judgment delivered by the trial court, we firmly believe that there was no need to take a different

> view than the one taken by the trial court. The behaviour of the respondent wife appears to be terrifying and horrible. One would find it difficult to live with such a person with tranquility and peace of mind. Such torture would adversely affect the life of the husband. ….”

17. The other instance of causing mental cruelty upon appellant/husband is that the respondent/wife has lodged a report in the Police Station Janjgir-Champa bearing Crime No.209 of 2019. As per the submission made by learned counsel for the appellant/husband, Criminal Case No.1114 of 2019 registered pursuant to aforementioned crime number, after full-fledged trial, was disposed of by judgment of acquittal of the appellant and other family members. If the husband or his family members have been implicated in a false and frivolous criminal case in which complainant/wife has contested the case, led evidence and thereafter the criminal case is disposed of resulting in acquittal of accused persons, then in the opinion of this Court, it would cause severe mental pain and agony to appellant/husband.

18. In case of **Rakesh Raman Vs. Kavita** reported in **(2023) 17 SCC 433**, Hon’ble Supreme Court observed as under:

> **“9.** The High Court in appeal, came to the conclusion that the mere fact that the respondent did not allow her husband to enter his house on 29-11-1998, would not prove that it was her intention to bring cohabitation permanently to an end and therefore the ground of dissolution of marriage on desertion was not made out. As far as filing of various complaints under Sections 323, 324 and 498-A of IPC are concerned, the High Court was of the view that mere filing of such

complaints, or their result in acquittal would not amount to cruelty, as the wife was only exercising her options available to her under the law. Moreover, what has to be seen are also the circumstances under which these complaints were filed.

x x x
x x x
x x x

**15.** The High Court has taken a view that mere filing of criminal cases against the appellant husband would not constitute cruelty. All the same, the number of criminal cases filed by the respondent wife against the appellant husband are far too many which have been discussed above. All these cases have either resulted in discharge or acquittal of the appellant husband, if not before the pronouncement of the judgment of the Delhi High Court but definitely after the pronouncement of the judgment [*Kavita* v. *Rakesh Raman*, 2011 SCC OnLine Del 1768] of the Delhi High Court. Moreover, a three-Judge Bench of this Court in *Naveen Kohli* v. *Neelu Kohli* [*Naveen Kohli* v. *Neelu Kohli*, (2006) 4 SCC 558] held that repeatedly filing of criminal cases by one party against the other in a matrimonial matter would amount to cruelty and the same was reiterated by a Division Bench of this Court in *K. Srinivas Rao* v. *D.A. Deepa* [*K. Srinivas Rao* v. *D.A. Deepa*, (2013) 5 SCC 226 : (2013) 2 SCC (Civ) 775 : (2013) 2 SCC (Cri) 963] .

x x x
x x x
x x x

**21.** The view [*Kavita* v. *Rakesh Raman*, 2011 SCC OnLine Del 1768] taken by the Delhi High Court in the present case that mere filing of criminal cases by the wife does not constitute cruelty as what has also to be seen are the circumstances under which cases were filed, is a finding we do not wish to disregard totally, in fact as a pure proposition of law it may be correct, but then we must also

closely examine the entire facts of the case which are now before us. When we take into consideration the facts as they exist today, we are convinced that continuation of this marriage would mean continuation of cruelty, which each now inflicts on the other."

19. In case of **K. Srinivas Vs. K.Sunita** reported in **(2014) 16 SCC 34**, Hon'ble Supreme Court observed as under:

> **"5.** The respondent wife has admitted in her cross-examination that she did not mention all the incidents on which her complaint is predicated in her statement under Section 161 CrPC. It is not her case that she had actually narrated all these facts to the investigating officer, but that he had neglected to mention them. This, it seems to us, is clearly indicative of the fact that the criminal complaint was a contrived afterthought. We affirm the view of the High Court that the criminal complaint was "ill advised". Adding thereto is the factor that the High Court had been informed of the acquittal of the appellant husband and members of his family. In these circumstances, the High Court ought to have concluded that the respondent wife knowingly and intentionally filed a false complaint, calculated to embarrass and incarcerate the appellant and seven members of his family and that such conduct unquestionably constitutes cruelty as postulated in Section 13(1)(*i-a*) of the Hindu Marriage Act."

14. True it is that copy of judgment of acquittal passed in criminal case is not placed in record, however, perusal of para-20 of the impugned judgment would show that learned trial Court has recorded that in Police Station – Janjgir Champa crime was registered for alleged commission of

offence under Section 498-A /34 of IPC against the appellant/applicant (husband) and his family members. Learned Family Court in para-21 has also recorded that crime was registered. However, till the date of decision on the application under Section 13 of the Act of 1955, judgment in criminal case is not passed and it is pending consideration from which it is appearing that based on the report lodged, crime was registered against the applicant husband/appellant for alleged commission of offence under Section 498 A /34 of IPC and criminal case is pending in the Court on the date of impugned judgment.

20. Submission of learned counsel for the appellant that criminal case culminated in acquittal of accused persons including the appellant/applicant (husband) and his family members is not categorically disputed by the learned counsel for respondent/non-applicant (wife)

21. In the case at hand, perusal of the impugned order would show that learned trial Court has formulated two issues, *first* on the ground of mental and physical cruelty and *second* on desertion. Learned trial Court has not found proved the issue formulated with regard to desertion only on the ground that two years have not elapsed from the date of alleged desertion by the wife as the date of desertion is pleaded as 04.12.2018 and suit for dissolution of marriage under Section 13 of the Act of 1955 was filed on 10.01.2020. Respondent/wife (non-applicant) did not appear before the trial Court to give her evidence, neither she nor any other witness was examined.

22. In the above facts of the case, the pleading made in the plaint, evidence brought in record by the plaintiff/appellant with regard to date of

desertion and further the pleading made in reply to application under Section 13 of the Act of 1955 can be taken into consideration. In plaint there is pleading that respondent-wife left the house on 04.12.2018. In written statement, respondent-wife pleaded that in the night on 04.12.2018 she was being assaulted on which she called police and thereafter on 05.12.2018, report was lodged in the police station Janjgir Champa from which it can be presumed that respondent left company of plaintiff/appellant from 04.12.2018 and since then the appellant/husband was precluded from enjoying conjugal relationship with his wife.

23. Learned Family Court has not discussed in the impugned judgment about the allegation levelled by wife of extramarital relationship/illicit relationship with wife of his younger brother and to consider whether that will amount to mental cruelty or not, which in the opinion of this Court, learned Family Court committed error of law in not discussing the evidence available on record of cruelty.

24. For the foregoing discussions, we are of the considered opinion that learned Family Court have decided the issue No.2 correctly. However, issue No.1 has been decided erroneously contrary to pleading and oral evidence and therefore finding on issue No.1 is perverse and not sustainable in the eyes of law.

25. Accordingly, finding on issue No.1 i.e. “cruelty” is set aside. In view of discussion made above we hold that appellant (applicant/plaintiff/husband) herein has proved mental cruelty caused upon him by respondent/defendant/wife for the discussion as made herein-above on the issue of cruelty.

26. In view of nature of allegation levelled by respondent-wife, which is horrible, it would not be difficult for the appellant/husband to leave with tranquility and peace of emotion with respondent/wife, but continuation of marriage will constitute cruelty, and therefore, we are of the considered opinion that appellant/husband has made out a case for grant of decree of dissolution of marriage on the ground of cruelty.

27. Accordingly, this appeal is allowed. Impugned judgment and decree dated 28.03.2024 is set aside. Consequently, the application preferred by the appellant/husband under Section 13 of the Hindu Marriage Act, 1955, is allowed, and the marriage solemnized between the appellant and the respondent on 06.05.2017 is hereby dissolved by a decree of divorce on the ground of cruelty.

28. Let a decree be drawn accordingly.

Sd/-
**(Parth Prateem Sahu)**
Judge

Sd/-
**(Sushma Sawant)**
Judge

Praveen