



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

128

**FAO No.5312 of 2025 (O&M)
Date of decision: 24.09.2025**

MOHIT @ MOHIT SHARMA**.... Appellant**

Versus

KIRAN**.... Respondent**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MRS. JUSTICE RAMESH KUMARI**

Present : Mr. Abhimanyu Singh, Advocate for the appellant.

HARSIMRAN SINGH SETHI, J. (oral)

1. In the present appeal, the challenge is to the order dated 23.07.2025 passed by learned Principal Judge, Family Camp Court, Pataudi by which, the petition filed by the appellant for dissolution of marriage on the ground of cruelty under Section 13(1)(ia) of Hindu Marriage Act, has been dismissed.

2. Learned counsel for the appellant argues that all the facts have not been taken into consideration by the learned Family Court while dismissing the petition.

3. On being asked to point out the facts which have not been taken into account, learned counsel for the appellant has only stated that the respondent-wife was not willing to bear the child which amount to cruelty. It may be noticed that the marriage between the parties was solemnized on 15.03.2021 and matrimonial dispute arose between the parties within a period of two months and since then, they are living separately. It cannot be said that the argument of the appellant that the wife was not willing to have a baby is

**FAO No.5312 of 2025 (O&M)**

-2-

correct. Further, the endeavour of the appellant is always to get a divorce and the allegations are being imputed to make a ground for cruelty. It may be noticed that respondent-wife in the reply, has clearly stated that at no given point of time, she stated that she does not want to have a baby rather she wanted to increase the family. The said fact in her statement has gone un rebutted.

4. No other argument has been raised.
5. Keeping in view the above, as no perversity in the order passed by learned Family Court has been pointed out. Hence, the appeal is dismissed.
6. Pending application, if any, also stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(RAMESH KUMARI)
JUDGE

September 24, 2025

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Whether speaking/reasoned: Yes
Whether reportable : No