

IN THE COURT OF POOJA SINGLA, (AD&SJ),
ADDL.PRINCIPAL JUDGE, FAMILY COURT, CAMP COURT,
SAMALKHA, PANIPAT.
UID No.HR-0293.

Case no. 101 of 2025.
CIS No.DMC-971-2025.
CNR No.HRPP01-010936-2025.
Date of Institution : 03.12.2025.
Date of Decision : 15.07.2026.

Pinki Panchal, aged 27 years, W/o Krishan, D/o Krishan Panchal, R/o Ward No.12, Chulkana Road, Krishana Colony, Samalkha, Tehsil Samalkha, District Panipat.

.... Petitioner No.1.

And

Krishan, aged 24 years, S/o Kartar Singh, R/o House No. 285, Ward no. 1, Kheri Road, Ganaur, District Sonipat.

...Petitioner No.2.

**PETITION UNDER SECTION 13-B OF HINDU
MARRIAGE ACT FOR GRANT OF DECREE OF
DIVORCE BY WAY OF MUTUAL CONSENT**

Present : Petitioner No.1 in person with counsel Ms.Preeti Rathi.
 Petitioner No.2 in person with counsel Ms.Meena Thori.

J U D G M E N T :

Petitioners have sought the dissolution of their marriage by a decree of divorce with mutual consent under Section 13-B of the Hindu Marriage Act.

2. The present petition for divorce by mutual consent has been jointly filed by the petitioners, being the husband and wife with the averments that the marriage of the parties to the petition was solemnized on 18.07.2021 according to Hindu Rites and ceremonies at Shiv Colony, Ward No.16, near Railway Station, Samalkha, Distt. Panipat. That after the marriage, they lived together as husband and wife and cohabited with each other and marriage was duly consummated and

one female child namely, Kanak was born out from this wedlock. That due to temperamental differences, they could not make adjust with each other and they have been living separately since March 2024. That their marriage has irretrievably broken down and efforts were made for reconciliation but in vain. That the parties to the petition have already settled their matrimonial disputes with regard to *Istridhan*, dowry articles, permanent alimony/present, past and future maintenance. That mutual consent has not been obtained by fraud, force or undue influence. Hence, the petition under Section 13-B of Hindu Marriage Act.

3. At the time of first motion, joint statement of petitioners was recorded on 03.12.2025. It was stated that their marriage was solemnized on 18.07.2021 according to Hindu rites and ceremonies. Due to their temperamental differences, their relations became strained. The parties have been living separately since March 2024. One female child namely, Kanak was born from this wedlock. Despite best endeavours made by them, their parents, relatives and friends for reconciliation, their matrimonial dispute could not be settled. It had become impossible for both of them to reside together as husband and wife under one roof and there were no chances of reconciliation. All their claims regarding ornaments, *Istridhan*, permanent alimony and dowry articles etc. have already been settled. They have mutually decided and agreed to dissolve their marriage with their free consent and will.

4. On the second motion i.e. today on 15.07.2026, joint statement of petitioner no.1 and petitioner no.2 again recorded. It was stated that there are no chances of reconciliation. Thereby, all claims regarding *Istridhan*, past, present

and future maintenance as permanent alimony, dowry articles, property etc. have been settled with a lump sum of Rs.1,75,000/- out of which Rs.1,00,000/- was paid today by petitioner No.2 to petitioner No.1 (through DD bearing no. 197328 dated 29.11.2025) at the time of statement on first motion. The remaining amount of Rs.75,000/- is paid today by the petitioner no.2 to petitioner no.1 through demand draft no. 197366 dated 14.07.2026. The custody of minor child has been handed over to petitioner no. 2 i.e. her father and the minor child shall remain permanently with her father and petitioner No.2 shall be responsible for the maintenance of minor child in future and petitioner No.1 will not claim custody of minor child in future. No other divorce petition has been filed by them in any Court. They have mutually decided and agreed for dissolution of their marriage. The parties prayed that decree of divorce may be passed in their favour.

5. I have heard the petitioners as well as the learned counsel for the petitioners and have gone through the case file. The parties have categorically stated that there is no possibility of them living together as husband and wife. The learned counsel for the petitioners as well have submitted that there is no possibility of reconciliation and therefore, a decree for divorce may kindly be granted.

6. After hearing both the sides and considering the arguments advanced by the learned counsel for the petitioners, the court is satisfied as to the genuineness of the plea of the parties put forth in the petition. Section 13-B of the Hindu Marriage Act, 1955 provides for divorce through mutual consent. The very basis of the present provision under law is to allow a decree to be passed in favour

of parties when the divorce is on basis of a compromise. A decree of divorce by mutual consent can be granted when the court is satisfied that though the marriage was solemnized between the parties, but now they have not been able to live with each other and are living apart from more than a year before presenting the petition. From the statements recorded in the court, it emerges that parties have parted ways and have been living separately for a long time and the averments contained in their petition are duly supported by their respective affidavits also and there have been no chances of reconciliation between them.

7. In view of the above discussion, the petition is allowed with no order as to costs and a decree of divorce under Section 13-B of the Hindu Marriage Act is hereby passed. Decree sheet be prepared accordingly. File be consigned to the record room after due compliance.

Pronounced in open Court :
15.07.2026.

(Pooja Singla)
Addl. Principal Judge, Family Court,
Camp Court, Samalkha, Panipat.

Note: This judgment contains 4 pages and all the pages have been checked and signed by me.

(Pooja Singla)
Addl. Principal Judge, Family Court,
Camp Court, Samalkha Panipat.
UID No.HR0293

Sonia, Stenographer Gr.II

Present : Petitioner No.1 in person with counsel Ms. Preeti Rathi.
 Petitioner No.2 in person with counsel Ms. Meena Thori.

Copy of demand draft placed on record. Joint statement of the parties on second motion recorded. Arguments heard. Order pronounced. Vide my separate judgment of even date, the petition has been allowed as detailed therein. Decree sheet be prepared accordingly. File be consigned to the record room after due compliance.

(Pooja Singla)
Addl. Principal Judge, Family Court,
Camp Court, Samalkha, Panipat.
UID No.HR0293

Date of order: 15.07.2026
Sonia, Stenographer Gr.II

(Pooja Singla)
Addl. Principal Judge, Family Court,
Camp Court, Samalkha,
Panipat.