

Chhaya and Deepak

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

Case no. 613 of 2025.
CIS No.DMC 994 of 2025.
CNR No.HRPP01-011106-2025.
Date of Institution : 10.12.2025.
Date of Decision : 06.07.2026.

Chhaya, aged about 22 years, w/o Shri Deepak Pruthi and d/o Shri Babu Ram,
r/o Tehsil Camp, Panipat.

Petitioner No. 1.

And

Deepak Pruthi, aged about 30 years, s/o Om Parkash, r/o VPO Umri, District
Kurukshetra.

Petitioner No. 2.

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

Present : Petitioner no.1 in person with counsel Shri Anil Singla.
 Petitioner no. 2 in person with counsel Shri Jagdish Singh.

JUDGMENT :

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 petitioner No.1 with petitioner No.2 was solemnized
on 06.02.2023 according to Hindu Rites and Ceremonies at Tehsil Camp,
Panipat. That after the marriage, they started living together and cohabited
with each other as husband and wife and one child namely, Sahaj was born out

(Pooja Singla),
APJ,FC, AD&SJ,
Panipat.

from this wedlock. That due to differences of temperaments as well as different behaviour, they could not live together as husband and wife. That they are living separately since 13.03.2024. That efforts were made by near relatives and other respectables for reconciliation but all in vain. That now both the parties have decided to get their marriage dissolved by filing a joint petition u/s 13-B of HMA. That the parties to the petition agreed to settle their matrimonial disputes and have already settled their disputes in regard to *Istridhan*, dowry articles, permanent alimony/present, past and future maintenance and custody of children. That both the petitioners with their free will and their mutual consent have decided to dissolve the marriage. 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 18.12.2025. It was stated that their marriage was solemnized on 06.02.2023 according to Hindu rites and ceremonies. Due to their temperamental differences, their relations became strained. The parties have been living separately since 13.03.2024. One child namely, Sahaj 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. Both the parties to the petition have already settled all their rival claims and claims towards dowry articles, *Istridhan*, pendente lite, past, present and future maintenance and permanent alimony etc and custody of child. 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 06.07.2026, joint statement of petitioner no.1 and petitioner no.2 again recorded. It was stated that there are no chances of reconciliation. They have arrived at settlement. Thereby, all their claims regarding Ornaments, Istridhan, permanent alimony and dowry articles etc. have been settled with a sum of Rs.1 lacs and said amount is paid today by the petitioner no.2 to the petitioner no.1 in cash. The minor child namely, Sahaj shall remain permanently under the care and custody of his father i.e. petitioner no.2 and petitioner no.2 shall be responsible for the maintenance of the child in future and petitioner no.1 will not claim his custody in future. Earlier one divorce petition under Section 13-B of HMA was filed by them, which was withdrawn by them due to compromise and except the said petition as well as present petition no other divorce petition has been filed by them in any court. Nothing is due to be paid between them. They have mutually decided and agreed for dissolution of their marriage, with free consent and without any force or coercion. 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 for 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 :
06.07.2026.

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

Sonia, Stenographer Gr.II

Present: Petitioner no.1 in person with counsel Shri Anil Singla
 Petitioner no.2 in person with counsel Shri Jagdish Singh.

Heard on the application under Order 6 Rule 17 CPC for amendment in the petition supported with affidavit. In view of the facts mentioned in the application, same is hereby allowed. Amended petition has already been filed.

Joint statement of the parties recorded on second motion. Arguments heard. Order pronounced. Vide separate judgment of even date, the petition has been allowed and a decree of divorce under section 13B of Hindu Marriage Act has been passed, as detailed therein. Decree sheet be drawn accordingly. File be consigned to the record room after due compliance.

(Pooja Singla)
Addl.Principal Judge, Family Court,
AD& SJ, Panipat. UID No.HR-0293

Date 06.07.2026.
Sonia, Steno Gr.II