

Family Law Judgments

A Monthly Wrap | June 2026



Title and Case details	Case Brief
Supreme Court: 15-Year Separation Justifies Divorce <i>Sonal Talpada vs. Veerbhan Singh</i> (MANU/SC/0610/2026; 2026 INSC 620)	The Supreme Court of India addressed the appeal by Sonal Talpada against the High Court's decision granting divorce to Veerbhan Singh. The core issue was whether the marriage had irretrievably broken down due to cruelty and prolonged separation. The Court upheld the High Court's findings that the Appellant-wife's refusal of conjugal relations and the couple's 15-year separation constituted mental cruelty. Citing precedents like <i>Samar Ghosh v. Jaya Ghosh</i>, the Court emphasized that prolonged separation without reconciliation efforts indicates irretrievable breakdown. Exercising powers under Article 142 of the Constitution, the Court dismissed the appeal, dissolving the marriage.
Supreme Court: Guardian's Power to Dispose Minor's Property Under Section 8, HMGA, 1959 <i>Shephali Chakraborty vs. The State of West Bengal</i> (MANU/SC/0611/2026; 2026 INSC 621)	The Supreme Court of India addressed whether Shephali Chakraborty, as the guardian of her minor son, could dispose of his inherited property share under Section 8 of the Hindu Minority and Guardianship Act, 1959. The court emphasized the necessity of judicial approval for such transactions to ensure the minor's welfare, rejecting the lower courts' decisions that denied permission due to insufficient justification of the transaction's benefit to the minor. The appeal was allowed, granting permission for the development agreement with conditions to safeguard the minor's interests, including depositing monetary proceeds in a nationalized bank until the minor reaches majority.

Title and Case details	Case Brief
Supreme Court: Prioritizes Child's Psychological Safety in Abuse-Custody Conflict <i>Sheetal Vasant Thakur vs. Chirag Arora</i> (MANU/SC/0626/2026; 2026 INSC 638)	The Supreme Court of India addressed the legality of the Bombay High Court's orders allowing a panel of experts to evaluate a minor child, amid allegations of sexual abuse by her father, Chirag Arora, against the backdrop of custody disputes with the mother, Sheetal Vasant Thakur. The Court emphasized the paramount importance of the child's welfare, psychological safety, and minimal intrusion, criticizing the High Court for not adequately considering the potential trauma from repeated evaluations. The Court modified the High Court's orders, directing the Family Court to appoint a psychologist to assess the parents and consult with the child's current therapist before deciding on further evaluations, ensuring the process remains child-centric and welfare-oriented.
Delhi High Court: Child Entitled to Meaningful Time with Both Parents <i>Dr. Geetanjali Aggarwal vs. Dr. Manoj Aggarwal</i> (MANU/DEOR/57401/202 6;2026:DHC:5154-DB)	The Delhi High Court dismissed a mother's appeal against a Family Court order granting the father 16 days of summer vacation custody of their minor daughter. The Court held that allegations regarding the father's alleged violations of earlier custody directions could not be examined in the custody appeal since those issues were already pending in separate contempt proceedings. It noted that the Family Court had interacted with the child before passing the order and had been specifically directed by the High Court to decide the summer custody application on its own merits. Emphasizing the welfare of the child, the Court observed that delay in custody matters itself causes prejudice to the child. The Bench further held that a child has the right to spend meaningful time with both parents and cautioned against attempts to obstruct custody arrangements by approaching courts immediately before vacation periods.
Delhi High Court Denies Anticipatory Bail in Dowry Death Case <i>Sandeep vs. The State of NCT of Delhi</i> (MANU/DE/4371/2026; 2026:DHC:5004)	The High Court of Delhi addressed the anticipatory bail applications of Sandeep, Puran Chand, and Satwati, accused of dowry-related harassment leading to the death of Heena within six months of marriage. The court examined the delay in FIR registration, noting that the complainant's initial statements expressed suspicion against the in-laws, which warranted investigation. Despite the delay, the court found the allegations serious and specific, requiring thorough investigation. The applications for anticipatory bail were rejected, emphasizing the need for custodial interrogation and effective investigation. The court criticized the initial inaction by authorities and urged prompt handling of similar cases in the future.

Title and Case details	Case Brief
Delhi High Court: Child Custody Can't Be Restricted to India Without Valid Grounds <i>Amritesh Jatia vs. Vidhi</i> (MANU/DE/4479/2026; 2026:DHC:5154-DB)	The Delhi High Court has observed that a parent cannot be denied custody of children abroad merely because the vacation is taking place outside India. Setting aside the Family Court's order, the Court found no material to justify restricting the father's access to the children only in India, especially when the children had previously lived in London. It rejected the mother's apprehension that the father might abscond with the children, terming such fears speculative and without merit, particularly as the children's passports remained with the mother. The Court further held that the source of funds for the vacation is irrelevant while determining custody rights and that if the father could care for the children in India, there was no reason he could not do so in London. Accordingly, the Court granted the father custody of the children in London for one week, subject to payment of their travel expenses and safeguards regarding the children's passports.
Delhi High Court: Family Court Proper Forum for Child Custody <i>Somya Goel vs. The State (Govt. of NCT of Delhi) and Ors.</i> (MANU/DE/4421/2026; 2026:DHC:5093-DB)	The High Court of Delhi addressed a petition by Somya Goel seeking a writ of habeas corpus to regain custody of her minor daughter from her husband, Rajaraman Karthik, in Singapore. The court noted that the petitioner failed to disclose ongoing proceedings in Singapore, where the courts had already ruled on custody matters, favoring the child's stay in Singapore due to her special needs. The court emphasized that the appropriate forum for custody disputes is the Family Court, not a writ petition, especially given the complex factual disputes. Consequently, the petition was dismissed, allowing the petitioner to pursue her claims in the Family Court.
Bombay High Court: Vague 498A Allegations Insufficient <i>Amita Nandkishor Gupta vs. State of Maharashtra and Ors.</i> (MANU/MH/4794/2026; 2026:BHC-AS:23434- DB)	The High Court of Bombay addressed the petition by Amita Nandkishor Gupta seeking to quash criminal proceedings under sections 498-A, 107, 323, 504, 506 read with section 34 of the IPC, arising from allegations of cruelty and harassment by her and others against the complainant. The court found the allegations against Amita Gupta to be vague, general, and based on mere suspicion without credible evidence, particularly noting the lack of specific acts of cruelty or dowry demands attributable to her. Citing precedents on the misuse of Section 498-A, the court quashed the proceedings against Amita Gupta but allowed the case to continue against the other accused.

Title and Case details	Case Brief
Bombay High Court Rejects Probate of Disputed Will <i>Madhusudan Mansukhlal Sanghavi vs. Indira Vasant Shah and Ors.</i> (MANU/MH/4679/2026; 2026:BHC-OS:12565)	The High Court of Bombay addressed the issue of whether the purported Last Will and Testament of Mansukhlal Kapoorchand Sanghavi, dated January 5, 1980, was validly executed. The parties involved were Madhusudan Mansukhlal Sanghavi, seeking probate, and Indira Vasant Shah and Dr. Maya Kiran Khandwala, who opposed it. The court found that the Will was not validly executed, was surrounded by suspicious circumstances, and was not the testator's last Will. The suit was dismissed, with the court noting the inordinate delay in seeking probate and the lack of satisfactory explanation for it.
Bombay High Court Allows Plea to Challenge Will Through Amendment in the Plaint as it Didn't Change the Nature of the Suit <i>Jamshed Dastur and Ors. vs. Guloo Perviz Dastur</i> (MANU/MH/4739/2026; 2026:BHC-OS:12599)	The High Court of Bombay addressed the issue of whether Jamshed Dastur and others could amend their plaint to challenge a Will dated 9th November 2012, propounded by Guloo Perviz Dastur, concerning the estate of the late Mr. Perviz Dastur. The plaintiffs argued that the Will was only disclosed to them after the suit was filed, and they sought to amend the plaint to include a challenge to it. The court, referencing precedents like <i>Sanjeev Builders</i>, found the amendment necessary for effective adjudication and to avoid multiplicity of proceedings, concluding that it did not change the nature of the suit. The court allowed the amendment, rejecting the defendant's claim of mala fides, and stayed the order's operation for three weeks.
Bombay High Court: Child's Welfare Paramount in Custody Matters <i>Kushagra vs. Ruchika</i> (MANU/MH/4799/2026; 2026:BHC-NAG:7548)	The High Court of Bombay addressed the issue of child custody during vacation between Kushagra and Ruchika, focusing on the father's request for custody of their minor child during Diwali. The Family Court allowed limited daily access to the father, which he challenged. The court emphasized the child's welfare, noting the child's young age and established residence with the mother in Nagpur, and found no reason to alter the Family Court's decision. However, the court extended the father's access time, partially allowing the writ petition.

Title and Case details	Case Brief
Kerala High Court: Father Cannot Override Custody Decree <i>Hayarunisa Abdul Hakkim vs. The Director General of Police and Ors.</i> (MANU/KE/1194/2026; 2026:KER:37511)	The High Court of Kerala addressed a Habeas Corpus petition filed by Hayarunisa Abdul Hakkim against the Director General of Police and others, concerning the illegal removal of her minor child by the father, despite a Family Court decree granting her permanent custody. The court found that the father violated the decree by taking the child without legal modification of the custody order. The court ordered the child to be returned to the mother and emphasized adherence to the Family Court's decree, while also directing the Child Welfare Officer to file a social investigation report. The court referenced guidelines approved by the Calcutta High Court for child custody matters and directed their circulation among relevant judicial authorities.
Kerala High Court: Down Syndrome Recognized for Guardianship Under National Trust Act <i>V.K. Satheesh Kumar vs. The District Collector and Ors.</i> (MANU/KE/1216/2026; 2026:KER:37272)	The High Court of Kerala addressed whether the District Collector was justified in rejecting V.K. Satheesh Kumar's application to be appointed as the legal guardian of his daughter, who has Down Syndrome, on the grounds that it is not recognized under the National Trust Act, 1999. The court found that Down Syndrome constitutes an intellectual disability under the National Trust Act, 1999 supported by medical literature and disability certificates. The rejection was deemed arbitrary and procedurally flawed, lacking proper hearing. The court quashed the decision and ordered a reconsideration of the application within three months, ensuring the due process.
Himachal Pradesh: Family Pension Cannot Be Denied to Lawful Widow <i>Krishna Devi vs. Union of India and Ors.</i> (MANU/HP/1322/2026; 2026:HHC:21909)	The High Court of Himachal Pradesh addressed the issue of whether Krishna Devi, the legally wedded wife of the deceased Narinder Kumar, was entitled to receive his family pension despite her name not being entered in his service records. The court found that Krishna Devi was indeed the legal wife, as evidenced by various documents and the fact that she and her daughter had previously been awarded maintenance. The court quashed the previous denial of her pension claim and directed the respondents to pay her the pension from May 2024, with arrears to be settled within three months, failing which interest would accrue. The petition was disposed of without costs.

Title and Case details	Case Brief
Uttarakhand High Court: Family Court Can Grant Interim Maintenance Despite DV Act Relief <i>Arun Chauhan vs. Neelam Chauhan and Ors.</i> (MANU/UC/0218/2026; 2026:UHC:4488)	The High Court of Uttarakhand addressed the challenge by Arun Chauhan against an order granting interim maintenance of ₹8,000 per month to Neelam Chauhan. Arun argued that the Family Court failed to consider existing maintenance under the Domestic Violence Act and questioned the rationale for the additional amount. The court found no error in the Family Court's decision, which was based on Arun's disclosed income of ₹43,000 per month, and noted that the maintenance order was consistent with the Supreme Court's guidelines in <i>Rajnish Vs. Neha</i>. The court dismissed the revision, affirming the Family Court's discretion and rejecting claims of illegality or impropriety.
Himachal Pradesh High Court Transfers Matrimonial Case for Wife's Convenience <i>Nisha Rani vs. Sandeep Kumar</i> (MANU/HP/1374/2026; CMPMO No. 5 of 2026)	The High Court of Himachal Pradesh addressed the petition filed by Nisha Rani seeking the transfer of matrimonial proceedings initiated by her husband, Sandeep Kumar, under Section 9 of the Hindu Marriage Act from Amb to Hamirpur. The court emphasized the convenience of the wife over the husband, citing precedents like <i>Sumita Singh vs. Kumar Sanjay</i>, which prioritizes the wife's convenience in transfer requests. The court allowed the transfer.
P&H High Court Protects Live-In Couple's Right to Life and Liberty <i>Kamljeet Kaur and Ors. vs. State of Punjab and Ors.</i> (MANU/PH/3544/2026; 2026:PHHC: 087198)	The High Court of Punjab and Haryana addressed a petition by Kamljeet Kaur and others seeking protection of their life and liberty from private respondents, as they were in a live-in relationship despite being married to others. The court, referencing previous judgments, emphasized that the right to life and liberty under Article 21 of the Constitution extends to individuals in live-in relationships, regardless of societal acceptance. The court directed the Senior Superintendent of Police, Patiala, to assess the threat perception and take appropriate action, while clarifying that this order does not prevent legal proceedings against the petitioners if warranted.

Title and Case details	Case Brief
Kerala High Court Denies Maintenance for Failure to Prove Marriage <i>Lalitha vs. Vijayan and Ors.</i> (MANU/KE/1239/2026; 2026:KER:40348)	The High Court of Kerala addressed the dispute between Lalitha and Vijayan, where Lalitha sought a declaration of being Vijayan's legally wedded wife and claimed maintenance under Section 125(1) of the Cr.P.C. The court found that Lalitha failed to prove the marriage, as she did not seek a declaration until 2017 despite knowing of Vijayan's marriage to her sister Ragini in 1994, which she witnessed. The court dismissed Lalitha's claims, agreeing with the Family Court's decision that she was not entitled to the declaration or maintenance, as her conduct contradicted her claims.
Jharkhand High Court Refuses Divorce, Finds Husband Failed to Prove Desertion by Wife <i>Pramod Kumar vs. Anjana Devi and Ors.</i> (MANU/JH/0813/2026; 2026:JHHC:16990-DB)	The High Court of Jharkhand addressed the appeal by Pramod Kumar against Anjana Devi and others, challenging the Family Court's dismissal of his divorce petition on grounds of desertion under Section 13(1)(i-b) of the Hindu Marriage Act, 1955. The court found that Pramod Kumar failed to provide sufficient evidence to prove desertion by Anjana Devi, as required by law, and noted contradictions in his statements regarding the period of separation. The court emphasized that desertion involves intentional abandonment without reasonable cause, which was not established in this case. Consequently, the appeal was dismissed, upholding the Family Court's decision.
Jharkhand High Court Sets Aside Abetment of Suicide Conviction, Upholds Cruelty Charge <i>Pratima Devi and Ors. vs. The State of Jharkhand and Ors.</i> (MANU/JH/0809/2026; 2026:JHHC:17071)	The High Court of Jharkhand addressed the appeal by Pratima Devi and Amar Tiwary against their conviction under Sections 498A and 306 of the IPC. The core issue was whether the conviction under Section 306 was tenable when the charge was under Section 304B. The court found that the demand for Rs. 20,000 did not constitute dowry under Section 304B, and the evidence did not support a conviction for abetment of suicide under Section 306. The court upheld the conviction under Section 498A for cruelty but set aside the conviction under Section 306, modifying the sentences to time already served. The appeal was partly allowed, and the appellants were discharged from bail liabilities.