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Family Law Judgments

A Monthly Wrap | **October 2026**



Title and Case details	Case Brief
Supreme Court Quashes Dowry Harassment Case Against In-Laws Over Vague Allegations Prasanta Kumar Dhar and Ors. vs. The State of West Bengal and Ors. (MANU/SC/1124/2026; 2026 INSC 1087)	The Supreme Court of India addressed the appeal by Prasanta Kumar Dhar and others against the State of West Bengal, concerning the partial quashing of an FIR related to allegations of dowry harassment and cruelty. The core issue was whether the charges against the appellants, the complainant's in-laws, were substantiated by specific and credible evidence. The Court found that the **allegations lacked specificity and supporting material, thus constituting an abuse of the legal process.** Consequently, the Court set aside the High Court's decision, quashing the proceedings against the appellants under Sections 498A, 406, 506 IPC, 1860 and Sections 3 and 4 of the Dowry Prohibition Act, 1961 while clarifying that this decision does not affect the case against the complainant's husband. The appeal was allowed, and all related proceedings against the appellants were quashed.
Supreme Court Directs Return of Minor Child to U.S. with Mother, Citing Child's Welfare Vayu Kishore vs. State of Karnataka and Ors. (MANU/SC/1180/2026; 2026 INSC 1130)	The Supreme Court of India addressed the appeal by Vayu Kishore against the State of Karnataka and others, focusing on the custody of his minor daughter, who was taken to India by her mother, in violation of a California court order. The Court **emphasized the child's welfare as paramount, noting that while the child had spent formative years in India, her U.S. citizenship and the benefits it entails favored her return to the U.S.** The Court allowed the appeal, directing the child's return to the U.S. with her mother, who agreed to accompany her, and recorded undertakings by the father to support them. The Court also dismissed a related special leave petition by the mother challenging a Jharkhand High Court order.

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Bombay High Court Upholds Acquittal in Cruelty and Abetment of Suicide Case for Lack of Evidence The State of Maharashtra vs. Parshuram Maruti Barbade and Ors. (MANU/MH/6533/2026; 2026:BHC-AUG:46383)	The High Court of Bombay addressed the appeal by the State of Maharashtra against the acquittal of Parshuram Maruti Barbade and others, who were charged under Sections 498-A and 306 read with 34 of the IPC for allegedly subjecting Dhanashri to cruelty and abetting her suicide. The court found that **the prosecution failed to provide specific evidence of harassment or instigation necessary to establish the charges, the court emphasized the need for clear evidence of abetment or cruelty, which was lacking in this case.** Consequently, the appeal was dismissed, upholding the trial court's acquittal.
Bombay High Court Upholds Maintenance to Wife Who Left Husband Over Alleged Extramarital Affair Mohanish vs. Kusumanjali and Ors. (MANU/MH/6759/2026; 2026:BHC-NAG:13738)	The High Court of Bombay addressed the dispute between Mohanish and Kusumanjali regarding the rejection of Mohanish's application for **restitution of conjugal rights and the granting of maintenance to Kusumanjali under Section 144 of the BNSS, 2023.** The court upheld the Family Court's decision, which found that Kusumanjali had reasonable cause to leave due to Mohanish's alleged extramarital affair, supported by chat evidence. The Family Court's maintenance order of Rs. 10,000 for Kusumanjali and Rs. 4,000 each for their children was deemed reasonable given Mohanish's salary and financial obligations. The revision application was dismissed, affirming the Family Court's judgment.
Bombay High Court Modifies Interim Child Custody and Visitation Arrangements Pending Guardianship Proceedings Dipak vs. Komal (MANU/MH/6512/2026; 2026:BHC-NAG:13125)	The High Court of Bombay addressed a dispute between Dipak and Komal **regarding interim custody of their daughter, Kumari Anandi, under Section 25 of the Guardians and Wards Act, 1890.** The court quashed the District Judge-1, Daryapur's order granting interim custody to Komal and directed that Dipak allow Komal access to their daughters every Friday at the District Court, Akola. The court instructed the District Judge-1 to expedite the main proceedings within six months and allowed Komal to request changes in access arrangements if needed.

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Bombay High Court Acquits Man in Wife's Suicide Case Suryakant vs. The State of Maharashtra (MANU/MH/6534/2026; 2026:BHC-AUG:46575)	The High Court of Bombay addressed the appeal of Suryakant against his conviction under Sections 498-A and 306 of the IPC for allegedly subjecting his wife, Sangita, to cruelty and abetting her suicide. The court found inconsistencies in the testimonies of key witnesses, including Sangita's parents, and noted that the trial court's conviction of Suryakant was based on assumptions rather than concrete evidence. **The court emphasized the principle of parity, as other accused were acquitted on the same evidence.** Consequently, the appeal was allowed, Suryakant's conviction was quashed, and he was acquitted
Delhi High Court Rules Prospective Adoptive Parent with Two Biological Children Ineligible to Adopt a Normal Child Sahil Gupta vs. Union of India and Ors. (MANU/DE/8111/2026; 2026:DHC:9354)	The High Court of Delhi addressed the issue of whether Sahil Gupta, a prospective adoptive parent with two biological children, was eligible to adopt a normal child, Baby K, under the Adoption Regulations, 2022. The court found that under Regulation 5(7), Gupta was only eligible to adopt special needs or hard-to-place children, not normal ones. Despite the referral of Baby K to Gupta, **the court held that no vested right to adopt was created, as the statutory framework must prevail.** The court dismissed the petition, vacated the interim order, and directed CARA to proceed with Baby K's adoption in accordance with the law, while also issuing guidelines to CARA to address administrative lapses.
Delhi High Court Upholds Widow's Right to Shared Household Until Alternate Accommodation Is Secured Raj Kumar and Ors. vs. Attar Singh (MANU/DE/7870/2026; 2026:DHC:9028)	The High Court of Delhi addressed the appeal by Raj Kumar's legal representatives against a judgment granting possession and damages to Attar Singh. **The core issue was whether the property constituted a "shared household" under the Protection of Women from Domestic Violence Act, 2005, granting Raj Kumar's widow, Manju Verma, an independent right of residence.** The court recognized her right to reside in the property as a shared household, despite the plaintiff's ownership, and held that she could not be evicted without securing alternate accommodation. The decree for possession was upheld but conditioned on providing alternate housing, while the award for damages was set aside.

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Delhi High Court Orders Fresh Consideration of Disability Harassment Complaint Vikas Gupta vs. Ranjana Agarwal and Ors. (MANU/DE/7927/2026: 2026:DHC:9084)	The High Court of Delhi addressed the dismissal of Vikas Gupta's complaint under the Rights of Persons with Disabilities Act, 2016, against his former wife, Ranjana Agarwal, and her family, alleging harassment and humiliation due to his disability. The Special Court had dismissed the complaint as a belated matrimonial dispute lacking specific details. However, the High **Court found that the Special Court failed to consider allegations of continued harassment, including a specific incident in 2025, and remanded the case for fresh consideration.** The petitioner may pursue further legal remedies for incidents occurring after the initial complaint.
Delhi High Court Upholds In-Laws' Discharge in Dowry Harassment Case for Lack of Specific Allegations Poonam Tanwar vs. State and Ors. (MANU/DE/7477/2026; 2026:DHC: 8580)	The High Court of Delhi addressed the petition by Poonam Tanwar challenging the order of the Additional Sessions Judge, which discharged her in-laws from charges under Sections 498-A and 406 IPC, while her husband was to face trial under Section 498-A IPC. **The court examined whether the revisional court exceeded its scope at the charge-framing stage and found no error warranting supervisory intervention under Article 227 of the Constitution.** The court upheld the discharge of the in-laws due to insufficient specific allegations against them and noted that the husband's prosecution was based on distinct allegations. The petition was dismissed, affirming the revisional court's decision.
Delhi High Court Quashes Dowry Harassment FIR Following Settlement and Mutual Consent Divorce Prashant Kumar and Ors. vs. State of NCT of Delhi and Ors. MANU/DE/7478/2026; 2026:DHC: 8647)	The High Court of Delhi addressed the petition filed by Prashant Kumar and others seeking to quash FIR No. 0359/2024 related to matrimonial disputes under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act. The parties involved, Prashant Kumar and the State of NCT of Delhi, resolved their disputes through a settlement agreement, leading to a mutual consent divorce. The court, referencing precedents like *B.S. Joshi v. State of Haryana,* determined that continuing the proceedings would be an abuse of process and quashed the FIR and related proceedings, allowing the petition.

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Delhi High Court Quashes Dowry FIR After Amicable Settlement in Matrimonial Dispute Vishal Verma and Ors. vs. The State (NCT of Delhi) and Ors. (MANU/DE/7741/2026; 2026:DHC: 8813)	The High Court of Delhi addressed the petition filed by Vishal Verma and others seeking to quash FIR No. 0571/2023, related to matrimonial disputes, under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act. The court noted that the parties, including Vishal Verma and his estranged wife, had amicably settled their disputes through a mediation agreement, which included a financial settlement and mutual consent divorce. Citing precedents like *Gian Singh v. State of Punjab (MANU/SC/0781/2012).* ***The*** **court emphasized its inherent power to quash proceedings in matrimonial cases where disputes are resolved privately.** Consequently, the court quashed the FIR and all related proceedings, acknowledging the settlement and the improbability of conviction.
Orissa High Court Upholds Divorce for Mental Cruelty, Increases Permanent Alimony to ₹25 Lakh Sai Sonali Nanda vs. Sambit Mishra (MANU/OR/1264/2026; 2022:OHC:1-DB)	The High Court of Orissa addressed the appeals of Sai Sonali Nanda and Sambit Mishra concerning the dissolution of their marriage. The core issue was whether the husband's claim of cruelty justified divorce and if the wife's request for restitution of conjugal rights was valid. The court upheld the Family Court's decision to grant divorce due to established mental cruelty and dismissed the wife's petition for restitution. The court also increased the permanent alimony from Rs. 16,00,000 to Rs. 25,00,000, considering the husband's financial status and the wife's qualifications. The judgment was modified regarding alimony, and both appeals were disposed of.
Orissa High Court Upholds Divorce Decree on Grounds of Physical and Mental Cruelty Sadasivuni Siva Santosh Kumar vs. Sadasivuni Anusha Patnaik (MANU/OR/1265/2026; 2024:OHC:1-DB)	The High Court of Orissa addressed the appeal by Sadasivuni Siva Santosh Kumar against the Family Court's decision to dissolve his marriage with Sadasivuni Anusha Patnaik on grounds of cruelty under Section 13(1) (ia) of the Hindu Marriage Act, 1955. **The court found that the Respondent-Wife had established a pattern of physical and mental cruelty, supported by evidence and corroborated by circumstances, which rendered the continuation of the marriage untenable.** The court upheld the Family Court's judgment, dismissing the appeal and affirming the dissolution of the marriage, referencing precedents like Samar Ghosh vs. Jaya Ghosh and V. Bhagat v. D. Bhagat to support its reasoning.

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Karnataka High Court Modifies Father's Visitation Rights, Prioritises Child's Welfare Arpita vs. Ashish (MANU/KA/4519/2026; WP No. 103228 of 2025)	The High Court of Karnataka addressed a dispute between Arpita and Ashish regarding visitation rights for their child amidst ongoing matrimonial proceedings. The core issue was **whether the trial court's order granting Ashish visitation rights was appropriate, given his alleged non-compliance with maintenance payments. The court acknowledged Ashish's right to maintain a relationship with his child, emphasizing the child's welfare as paramount.** It modified the trial court's order, allowing Ashish visitation on weekends and during school events, while ensuring the child's safety and welfare. The writ petition was disposed of with these modifications.
Karnataka High Court Orders Return of Child Removed from US Ronald Earl Hughes Jr. vs. The State of Karnataka and Ors. (MANU/KA/4479/2026; WP (HABEAS CORPUS) NO.63 OF 2025)	The High Court of Karnataka addressed a habeas corpus petition filed by Ronald Earl Hughes Jr. against the State of Karnataka and others, seeking the return of his minor son to the United States, as per orders from the Superior Court of Washington. **The court considered the child's welfare, the principle of Comity of Courts, and the fact that the child was unlawfully removed from the U.S. by the mother.** The court ruled in favor of the petitioner, directing the return of the child and mother to the U.S., with the petitioner bearing the necessary expenses. The petition was allowed, leaving all contentions to be decided by the competent U.S. court.
Madras High Court Denies Succession Certificate Over Unproven Marriage and Parentage Claims Prema and Ors. vs. S. Jayanthi and Ors. (MANU/TN/3141/2026; OP No. 588 of 2018)	The High Court of Madras addressed the dispute over the entitlement to a Succession Certificate for the estate of the deceased, R. Sundar Singh, involving petitioners Prema @ Fathima and her son Sadam Hussain alias Rajsingh, and respondents S. Jayanthi and her children. The court examined whether the petitioners had a prima facie claim as legal heirs, given the contested marriage and parentage claims. The court **found insufficient evidence to establish the petitioners' claims, noting the lack of legal recognition for the alleged marriage and the absence of corroborative evidence for the son's parentage.** Consequently, the petition for a Succession Certificate was dismissed, leaving the parties to pursue their claims in a competent civil court.

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Sikkim High Court Quashes Cruelty Case Against Husband Following Reconciliation and Compromise Norbu Gurung vs. Poonam Rai and Ors. (MANU/SI/0063/2026)	The High Court of Sikkim addressed the issue of whether to quash criminal proceedings against Norbu Gurung, initiated by his wife Poonam Rai under sections 498A and 323 of the IPC, following their reconciliation. **The court considered the couple's Deed of Compromise, their mutual desire to maintain a harmonious relationship for their daughter's well-being, and the precedent set in *Phuchung Tshering Bhutia vs. State of Sikkim*,** which allowed quashing of similar cases upon compromise. Concluding that continuing the prosecution would be unjust, the court quashed the proceedings, allowing the couple to move forward peacefully.
Manipur High Court: Section 482 CrPC Petition Maintainable to Quash DV Act Proceedings in Cases of Gross Illegality or Injustice Ningthoujam Geoffrey vs. Laishram Monica Chanu and Ors. (MANU/MN/0097/2026; Cr. Petn. No. 21 of 2020)	The High Court of Manipur addressed whether a petition under Section 482 of the Cr.P.C. is maintainable for quashing proceedings initiated under Section 12 of the DV Act, 2005. **The court referred to the Supreme Court's decision in *Shaurabh Kumar Tripathi vs. Vidhi Rawal (MANU/SC/0739/2025)* which allows such petitions only in cases of gross illegality or injustice**. The court concluded that the petition is maintainable but has yet to determine if gross illegality or injustice exists, disposing of the application accordingly and setting a date for further proceedings.
Jharkhand High Court Rejects Father's Plea to Modify Interim Custody Order, Directs Expeditious Hearing Ankit Kumar Singh vs. Megha Singh (MANU/JH/1662/2026; 2026:JHHC:30305-DB)	The High Court of Jharkhand addressed a petition filed by Ankit Kumar Singh seeking clarification and modification of a previous order granting interim custody of his minor daughter to Megha Singh, the child's mother. The court **examined the procedural history, including the mother's non-participation in ongoing proceedings and jurisdictional concerns.** The court found no merit in the petition, noting that a similar request had been previously withdrawn and that the issue of jurisdiction was not pertinent. The petition was dismissed, with the court emphasizing that the family court should handle the case expeditiously without unnecessary adjournments, as previously directed.