

# Family Law Judgments

A Monthly Wrap | **August 2026**



| Title and Case details                                                                                                                                                                                   | Case Brief                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| <p><b>Supreme Court Acquits Man in Wife's Death Case, Says Evidence Insufficient to Prove Murder</b></p> <p>Jupudi Suresh vs. The State of Andhra Pradesh</p> <p>(MANU/SC/0840/2026; 2026 INSC 832)</p>  | <p>The Supreme Court of India addressed the appeal of Jupudi Suresh against the State of Andhra Pradesh concerning his conviction for the alleged murder of his wife by setting her on fire. <b>The core issue was whether the death was homicidal or suicidal</b>, given discrepancies in dying declarations and testimonies of relatives who did not support the prosecution's case. The Court found the <b>evidence insufficient to prove murder beyond a reasonable doubt, noting inconsistencies in the dying declarations and lack of motive</b>. Consequently, the Court acquitted Jupudi Suresh, overturning the lower courts' decisions, and ordered his release if not required in any other case.</p> |
| <p><b>Supreme Court Enhances Maintenance for Wife and Two Children, Directs Husband to Pay ₹1.8 Lakh Monthly</b></p> <p>Harpreet Sawhney vs. Puneet Sharma</p> <p>(MANU/SC/0831/2026; 2026 INSC 822)</p> | <p>The Supreme Court of India addressed the dispute between Harpreet Sawhney and Puneet Sharma regarding the adequacy of child maintenance and the Respondent-husband's compliance with maintenance orders. The <b>court considered the Appellant-wife's financial burden, including her cancer treatment expenses, and the Respondent-husband's income and deductions</b>. The court <b>enhanced the monthly maintenance for both children to Rs. 1,50,000/- and increased the Appellant-wife's maintenance to Rs. 30,000/- per month</b>, effective from January 2025. The Respondent-husband was directed to comply with these orders within three months, and the appeals were disposed of accordingly.</p>  |

| Title and Case details                                                                                                                                                                                                                      | Case Brief                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| <p><b>Supreme Court Transfers Minor’s Custody to Grandparents in Child’s Best Interest, Grants Father Supervised Visitation</b></p> <p>Ashok Kumar Tiwari vs. Vivek Kumar Chaturvedi and Ors.</p> <p>(MANU/SC/0833/2026; 2026 INSC 818)</p> | <p>The Supreme Court of India addressed a contempt petition filed by Ashok Kumar Tiwari, the maternal grandfather of a minor child, against Vivek Kumar Chaturvedi and others, concerning the custody of the child. The <b>court initially ordered the child's custody to be transferred to the father, but upon further interaction with the child, it determined that the child's welfare would be best served under the care of the grandparents.</b> The court exercised its <i>parens patriae</i> jurisdiction to order the child be handed over to the grandparents, allowing the father visitation rights under supervision. The contempt case was closed with these directions, and any pending applications were disposed of.</p>                                               |
| <p><b>Supreme Court: Section 498A IPC Applies to Marriage-Like Live-In Relationships</b></p> <p>Lokesh B.H. and Ors. vs. State of Karnataka and Ors.</p> <p>(MANU/SC/0788/2026; 2026 INSC 784)</p>                                          | <p>The Supreme Court of India addressed whether <b>Section 498A of the Indian Penal Code</b>, which penalizes cruelty by a husband or his relatives, applies to live-in relationships akin to marriage. The case involved Lokesh B.H. and others against the State of Karnataka and Smt. Theertha, where the appellant sought to quash proceedings under Section 498A. The Court held that <b>Section 498A applies to live-in relationships that qualify as "relationships in the nature of marriage" with the intent to marry, emphasizing a purposive interpretation to address social realities.</b> The appeal to quash the proceedings was dismissed, allowing the trial to proceed, with safeguards against misuse as outlined in Arnesh Kumar's case to be strictly applied.</p>  |
| <p><b>Supreme Court: Father’s Maintenance Liability Cannot Be Arbitrarily Halved</b></p> <p>Sujata Kumari and Ors. vs. Rahul Kumar and Ors.</p> <p>(MANU/SC/0921/2026; 2026 INSC 896)</p>                                                   | <p>The Supreme Court of India addressed the issue of interim maintenance for two minor daughters. The appellants, Sujata Kumari and her daughters, challenged the Allahabad High Court's decision to reduce the maintenance awarded by the Family Court from Rs. 30,000 to Rs. 15,000 per month for each daughter. The Supreme Court <b>found the High Court's reasoning insufficient, emphasizing that both parents share the responsibility of maintaining their children, but the father's liability should not be arbitrarily halved.</b> The Court restored the Family Court's order, awarding Rs. 30,000 per month per daughter and directed the respondent to pay any arrears within three months. The appeal was allowed, and the main maintenance petition remains pending.</p> |



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| <p><b>Settlement Between Spouses Leads Delhi High Court to Quash FIR</b></p> <p>Sandeep Bhargava and Ors. vs. State of NCT of Delhi and Ors.</p> <p>(MANU/DE/5735/2026; 2026:DHC:6591)</p>     | <p>The High Court of Delhi addressed the quashing of FIR No. 294/2018 involving Sandeep Bhargava and others against the State of NCT of Delhi and others, concerning allegations under Sections 498A/406/34 IPC. The core issue was whether the FIR should be quashed based on a settlement between the parties, who had resolved their disputes through a Memorandum of Understanding and mutual divorce. The court reasoned that <b>continuing criminal proceedings served no purpose as the matter was private, and the complainant did not wish to pursue charges</b>. Exercising its inherent powers, the court quashed the FIR, subject to the petitioners depositing Rs. 20,000 with the Delhi High Court Legal Services Authority and required submission of proof and documents to the Trial Court.</p> |
| <p><b>Sections 498A/403/34 IPC Proceedings Quashed on Compromise</b></p> <p>Ankit Gupta and Ors. vs. State of NCT of Delhi and Ors.</p> <p>(MANU/DE/5751/2026; 2026:DHC:6593)</p>              | <p>The High Court of Delhi addressed the issue of quashing FIR No. 207/2021, involving Ankit Gupta and others against the State of NCT of Delhi and others, concerning allegations under Sections 498A/403/34 Indian Penal Code, 1860 and the Dowry Prohibition Act, 1961. The court noted that the <b>parties had amicably resolved their differences through mediation, with the complainant receiving a settlement and expressing no objection to quashing the FIR</b>. Exercising its inherent powers under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, the court quashed the FIR and all related proceedings, directing the submission of original affidavits and the MoU to the Trial Court within four weeks.</p>                                                                            |
| <p><b>Delhi High Court: Financial Liabilities Must Be Balanced While Awarding Maintenance</b></p> <p>Ashutosh Rai Asthana vs. Yamita Rai Asthana</p> <p>(MANU/DE/5706/2026; 2026:DHC:6515)</p> | <p>The High Court of Delhi addressed the dispute regarding the interim maintenance awarded by the Family Court. The petitioner, Ashutosh, challenged the order granting Yamita Rs. 30,000 per month, arguing that the Family Court failed to consider his financial responsibilities and Yamita's earning capacity. The court noted the <b>principles from <i>Rajnish v. Neha</i> (MANU/SC/0833/2020) and other precedents, emphasizing the need to balance the rights and liabilities of both parties</b>. Consequently, the court reduced interim maintenance to Rs. 25,000 per month, effective from the application date, and disposed of the petition.</p>                                                                                                                                                  |

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| <p><b>Delhi High Court Denies Divorce, Holds Husband's Conduct Amounted to "Own Wrong"</b></p> <p>Yash Khanna vs. Bhawna</p> <p>(MANU/DE/5944/2026; 2026:DHC:6765-DB)</p>                                        | <p>The High Court of Delhi addressed the appeal by Yash Khanna challenging the dismissal of his divorce petition against Bhawna by the Family Court. The core issue was whether Khanna was entitled to a divorce under <b>Section 13(1A) of the Hindu Marriage Act, 1955(Act)</b>, given the lack of cohabitation after a decree for restitution of conjugal rights. <b>The court found that Khanna's conduct, including disputing the marriage's validity and not attempting reconciliation, constituted "own wrong" under Section 23(1)(a) of the Act</b>, disqualifying him from obtaining a divorce. The court upheld the Family Court's decision, dismissing the appeal and affirming that statutory obligations like maintenance do not entitle one to divorce.</p>                                                            |
| <p><b>Uttarakhand High Court Says Husband's Financial Obligations Cannot Defeat Wife's Maintenance Right</b></p> <p>Jyoti Devlal vs. State of Uttarakhand and Ors.</p> <p>(MANU/UC/0365/2026; 2026:UHC:6846)</p> | <p>The High Court of Uttarakhand addressed the issue of whether the maintenance awarded to Jyoti Devlal by the Family Court was adequate, given her husband's financial capacity. Jyoti Devlal sought an increase in the maintenance amount, arguing it was insufficient considering her husband's income as an Assistant Manager at the State Bank of India. The court noted that <b>the husband's financial obligations did not negate his statutory duty to maintain his wife and referenced the Supreme Court's precedent in Sunita Kachwaha v. Anil Kachwaha (MANU/SC/0964/2014), which emphasizes realistic maintenance commensurate with the husband's status</b>. The court enhanced the maintenance from ₹10,000 to ₹15,000 per month, effective from the original award date, and allowed the revision to this extent.</p> |
| <p><b>Jharkhand High Court Awards ₹30 Lakh Permanent Alimony to Divorced Wife</b></p> <p>Anjali Kumari vs. Sunil Kumar Paswan and Ors.</p> <p>(MANU/JH/1230/2026; 2026:JHHC:23473-DB)</p>                        | <p>The High Court of Jharkhand addressed an appeal by Anjali Kumari against Sunil Kumar Paswan regarding a divorce decree granted by the Additional Family Court, Ranchi. The core issue was the quantum of permanent alimony, as the respondent-husband had remarried and the appellant-wife sought adequate financial support for herself and their son. The court <b>considered the husband's income and obligations, ultimately directing him to pay a one-time permanent alimony of Rs. 30,00,000, with Rs. 10,00,000 earmarked for their son's education, and clear maintenance arrears of Rs. 17,00,000</b>. The appeal was disposed of with these modifications to the original decree.</p>                                                                                                                                  |

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| <p><b>Orissa High Court Transfers Matrimonial Case to Bhadrak Considering Wife’s Convenience, Directs Expedited Hearing</b></p> <p>Sukanti Padhan vs. Narasingha Padhan</p> <p>(MANU/OR/0984/2026; TRP(C) No.11 of 2026)</p> | <p>The High Court of Orissa addressed a transfer petition filed by Sukanti Padhan seeking to move MAT Case No. 10 of 2025 from the Civil Judge (Senior Division), Hindol to the Family Court, Bhadrak. <b>The court considered the convenience of the wife, as established in precedents, and the lack of objection from Narasingha Padhan, the respondent.</b> The court allowed the transfer, directing the Hindol court to transmit the case to Bhadrak within seven days and permitting virtual appearances if necessary. The Family Court, Bhadrak, was instructed to expedite the proceedings, aiming for completion by March 2027. The petition was allowed and disposed of with these directions.</p>          |
| <p><b>J&amp;K High Court Allows Accused to Seek Dropping of DV Act Proceedings, Revocation of Interim Compensation</b></p> <p>Shabir Ahamd Bhat and Ors. vs. Roufa Javeed</p> <p>(MANU/JK/0614/2026; CRM(M) No.557/2026)</p> | <p>The High Court of J&amp;K addressed the challenge by Shabir Ahmad Bhat and others against a petition filed by Roufa Javeed under <b>Section 12 of the Protection of Women from Domestic Violence Act, 2005</b>. <b>The court noted that the Magistrate has the authority to revoke proceedings if no grounds exist to proceed, referencing the Supreme Court's decision in <i>Kamatchi v. Lakshmi Narayanan (MANU/SC/0471/ 2022)</i>.</b> The court allowed the petitioners to apply for dropping the proceedings and revocation of interim compensation, instructing the Magistrate to decide within a month. The petition was disposed of with these directions.</p>                                              |
| <p><b>Domestic Violence Act Proceedings Are Quasi-Civil</b></p> <p>Maryom Haque and Ors. vs. The State of Assam and Ors.</p> <p>(MANU/GH/0822/2026; 2026:GAU-AS:11088)</p>                                                   | <p>The High Court of Gauhati addressed the issue of whether the trial court erred in issuing notices to Maryom Haque and others in a domestic violence case filed by Ms. Sahanaz Choudhury without following the procedure under Section 223 of the BNSS, 2023. The petitioners argued that the trial court failed to establish a domestic relationship and did not provide a hearing opportunity. <b>The court held that the Protection of Women from Domestic Violence Act, 2005 proceedings are quasi-civil and do not require the procedures for criminal complaints under BNSS, 2023.</b> The petitions were dismissed, and the court emphasized that factual disputes should be resolved by the trial court.</p> |



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| <p><b>Jharkhand High Court Finds Sufficient Evidence of Cruelty, Restores Conviction</b></p> <p>Sanjay Kumar vs. State of Jharkhand and Ors.</p> <p>(MANU/JH/1258/2026; 2026:JHHC:23876)</p>                                | <p>The High Court of Jharkhand addressed the legality of the appellate court's decision in the case of Sanjay Kumar vs. State of Jharkhand and others, focusing on the conviction under Section 498A of the IPC and Sections 3/4 of the Dowry Prohibition Act, 1961. Sanjay Kumar was initially acquitted of the Section 498A charge by the appellate court, which upheld his conviction under the Dowry Prohibition Act. The complainant, Sushma Devi, challenged the acquittal of Kumar and other co-accused. <b>The High Court found sufficient evidence of cruelty by Kumar, restoring his conviction under Section 498A, while upholding the acquittal of other accused due to lack of evidence.</b> The court dismissed Kumar's revision and partly allowed the complainant's revision, directing the trial court's records to be updated accordingly.</p> |
| <p><b>Jharkhand High Court Awards ₹30 Lakh Permanent Alimony, Directs ₹30 Lakh FD for Daughter's Welfare</b></p> <p>Rinky Singh vs. Deepak Singh Ari and Ors.</p> <p>(MANU/JH/1232/2026; 2026:JHHC:23501-DB)</p>            | <p>The High Court of Jharkhand addressed the appeal by Rinky Singh against Deepak Singh Ari regarding the dissolution of their marriage and the determination of permanent alimony. The court <b>upheld the Family Court's decision granting divorce on grounds of cruelty and desertion, while focusing on the quantum of alimony.</b> Despite previous settlements, the court ordered Deepak Singh Ari to pay Rinky Singh a total of Rs. 30,00,000 as permanent alimony and secure Rs. 30,00,000 in a fixed deposit for their daughter's welfare. The appeal was disposed of with these modifications to the original judgment.</p>                                                                                                                                                                                                                            |
| <p><b>Jharkhand High Court Sets Aside Restitution of Conjugal Rights Decree, Finds Wife Had Just Cause to Live Separately</b></p> <p>Rani Parween vs. Md. Mubarak Ansari</p> <p>(MANU/JH/1231/2026; 2026:JHHC:23476-DB)</p> | <p>The High Court of Jharkhand addressed the appeal filed by Rani Parween against Md. Mubarak Ansari, challenging the Family Court's decision granting restitution of conjugal rights to the husband. The core issue was whether the wife had lawful cause to refuse cohabitation due to alleged cruelty. The court found <b>that the Family Court failed to properly consider evidence of cruelty and harassment by the husband and his family, which justified the wife's refusal to return.</b> Consequently, the High Court quashed the Family Court's judgment and allowed the appeal, setting aside the decree for restitution of conjugal rights.</p>                                                                                                                                                                                                     |

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| <p><b>Uttarakhand High Court: Maintenance Must Ensure Wife and Child Live With Dignity</b></p> <p>Reshma vs. Kheem Singh</p> <p>(MANU/UC/0403/2026; 2026:UHC:7323)</p>                         | <p>The High Court of Uttarakhand addressed the issue of whether the maintenance awarded to Reshma and her minor child by the Family Court was adequate, given the financial capacity of the respondent, Kheem Singh. The court considered the respondent's salary and deductions, <b>emphasizing that maintenance should allow the wife and child to live with dignity, reflecting the husband's financial status. Citing the Supreme Court's precedent in <i>Deepa Joshi Vs. Gaurav Joshi</i> (MANU/SC/0366/2026), the court held that deductions for post-retiral schemes should not reduce the maintenance obligation.</b> The court increased the maintenance from ₹12,000 to ₹25,000 per month, modifying the Family Court's order, and disposed of the revision.</p> |
| <p><b>Kerala High Court: Christian women may file divorce pleas where they reside</b></p> <p>Princy N.V. Vs. UOI &amp; Ors.</p> <p>(MANU/KE/2524/2026; 2026: KER:64014)</p>                    | <p>The Kerala High Court has <b>observed that Christian women can seek divorce before the Family Court having jurisdiction over their place of residence, even if it differs from the place of marriage or the last place of residence with their husband.</b> The Division Bench further observed that a restrictive interpretation of Section 3(3) of the Divorce Act, 1869, would be discriminatory and must be interpreted consistently with constitutional guarantees of gender equality.</p>                                                                                                                                                                                                                                                                         |
| <p><b>Jharkhand High Court Upholds Rejection of Delayed Paternity Suit</b></p> <p>Jyoti Kumari Toppo and Ors. vs. Tirpurari Singh and Ors.</p> <p>(MANU/JH/1279/2026; 2026: JHHC:23904-DB)</p> | <p>The High Court of Jharkhand addressed an appeal by Jyoti Kumari Toppo and others against Tirpurari Singh and others, challenging the Family Court's dismissal of their suit seeking a <b>declaration of paternity</b> for appellant nos. 2 and 3. <b>The Family Court had rejected the suit due to lack of territorial jurisdiction, being time-barred, and containing discrepancies.</b> The High Court upheld this decision, emphasizing that the suit was filed after an inordinate delay of 30 years, lacked jurisdictional basis, and was riddled with contradictions, including conflicting documentary evidence. The appeal was dismissed, affirming the Family Court's application of Order VII Rule 11 of the CPC to reject the plaint.</p>                    |