REPORTABLE

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

K. SRINIVAS V. K. SUNITHA (2014)

BENCH: Mr. Justice Vikramajit Sen & Mr. Justice Prafulla C. Pant **DECIDED:** November 19, 2014

RATIO DECIDENDI & PRECEDENTIAL CRUX:
Filing false, unproven criminal complaints under Section 498A IPC against husband and his family constitutes mental cruelty entitling husband to divorce.

1. Factual Matrix & Background:

The wife filed criminal complaints under Section 498A IPC resulting in the arrest and incarceration of the husband and his family members. The husband and relatives were ultimately acquitted of all charges by the criminal court. The husband sought divorce on grounds of mental cruelty.

2. Substantive Legal Questions Framed:

Whether the filing of false, defamatory criminal complaints resulting in arrest and incarceration of the spouse and family constitutes mental cruelty under Section 13(1)(ia) HMA.

3. Analysis & Ratio Decidendi:

The Supreme Court granted divorce, holding that leveling false criminal allegations against the spouse and causing the arrest of elderly parents constitutes grave mental cruelty. An acquittal in a criminal case brought by a spouse is solid evidence that the allegations were false and unproven, making it impossible for the parties to live together.

4. Principles Enunciated:

- 1. Filing false criminal complaints under Section 498A constitutes severe mental cruelty.
- 2. Arrest and custody of family members on baseless charges inflicts irreversible trauma.
- 3. Acquittal in criminal trials provides a conclusive ground for divorce under Section 13(1)(ia).

5. Practical Litigation Implications:

- Husbands acquitted in Section 498A trials should immediately place certified copies of the acquittal judgment on record in family courts to establish cruelty and secure divorce.

.....J.
[SUPREME COURT BENCH]

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