

In The Court of
Sh. Dhritarashtra, Principal Judge,
Family Court, Patiala House Court Complex
Civil Suit No. 657 of 2019
In the Matter of

Draupadi

....Plaintiff

v.

Duryodhan

....Defendant

Duryodhan, a 27 year old man who lives in South Moti Bagh, Delhi is handling his father's business of manufacturing steel pipes after his death. He is a zestful and budding entrepreneur who devotionally does his work and has good relations with everyone in the company. He lives only with his 75 year old mother, Kareena, who is on prescriptive medication and is suffering from various ailments. Duryodhan devotionally takes care of her mother and also at the same time balances the efforts to take the business to great heights. He is a social bee who often interacts with people and shares a warm gesture towards them.

On 27/11/2015, in order to expand his business, he went to U.S.A in order to attend a product manufacturing summit in Arizona where he met Draupadi, a 26-year-old woman who was born in Mumbai but from her childhood, she was raised in Las Vegas. She works as a business analyst in Startrek Co. They both met with each other for a couple of days in Las Vegas and eventually exchanged their numbers and were in frequent touch. On 10/12/2015, Duryodhan went back to India and focused on his business.

In March 2016, Draupadi, came to India as she got a job offer from Infosys as a Senior Executive Analyst in Gurugram. Draupadi informed the same to Duryodhan and after that, they frequently met each other and eventually started liking each other. On 10/10/2017, they got married to each other as per Hindu Rites and Customs in Delhi and Draupadi started living with Duryodhan at his house in South Moti Bagh. They shared a happy married life and begot a daughter on 28/11/2018 out of their wedlock. Both of them were very affectionate to their daughter and wanted her to get the best education.

Since January 2019, the business started to incur huge losses because of which, Duryodhan had to stay back in the office many times. Draupadi had to take leave from her job

and had to take care of her mother in law during which she had altercations with her and thus was never devoted to take care of her mother in law. She even started having altercations with Duryodhan as most of the time he would be busy with company work and was not able to take care of their house. Duryodhan also had heated arguments with Draupadi as there were limited funds in the house and he was most of the time frustrated with work. Draupadi wanted to live separately with her daughter and husband as she did not want to face her mother in law.

Draupadi used to share everything that happened to her with her brother, Shakuni which Duryodhan did not like and stated not to tell everything to him as it was their personal life. On 12/06/2019, the company became insolvent and bankrupt because of which the company went for winding up which was initiated by Arjun the Official Liquidator. Due to this, Duryodhan ran into depression and started to remain in isolation most of the time and was on prescription medication. Dr Bhim, who is the family doctor of Duryodhan and is also prescribing the medication of Kareena, stated that it was a case of clinical depression and it will take some time to recover from it.

On 23/10/2019, frustrated by the ongoing scenario and frequent altercations, Draupadi moved a divorce petition u/s 13(1)(ia) of the Hindu Marriage Act, 1955 for treating her with cruelty and mentally torturing her along with which she claimed for maintenance u/s 24 of the Hindu Marriage Act, 1955 and she also filed a case against her mother in law and husband u/s 498A IPC and lastly an application has been presented by the wife u/s 12 of The Protection of Women From Domestic Violence Act, 2005.

The Matter was taken up by the Family Court at Patiala House where the Examination-in-Chief¹ was concluded on 03/01/2020 and has been listed for Cross-Examination on 20/03/2020.

¹ Annexure

Annexure

Examination-in-Chief of Plaintiff Evidence

P.W.-1 Draupadi

My name is Draupadi w/o Duryodhan r/o A1/35, South Moti Bagh. I am 31 years old and I am living with my husband, daughter and mother in law. I was working with Infosys as a Senior Business Analyst. Since we got married, my mother in law was keeping unwell, I used to take care of her whenever I came back from my office. Eventually, I observed that she had recovered from her ailment but whenever my husband met her, she pretended to be unwell and used to make my husband believe that I am not taking good care of her. One day she even tried to fake an attack of losing consciousness which prompted my husband to force me to stay at home and take care of her to which I vehemently objected and said that we both should take care of her alternatively and that it would be unreasonable for her to sit at home.

Later after hearing this when my husband was not at home, she on several occasions used to yell at me and also compared me to the maid and said that the only purpose for which I was married to his son was to fulfill the domestic duties of the house equivalent to that of a maid. She used to mentally torture me and verbally abuse me and on some occasions she used to throw utensils. When the business was running in losses, I used to give a portion of my earnings and savings to them which were never found sufficient by them. Moreover, they used to force me to leave my job and on the other hand would also expect me to give them money. Eventually because of all the circumstances, I had to take leave from my job.

Initially, my husband was of a calm and composed attitude, but slowly he got so busy with his work and used to come late at night. Whenever I used to ask him as to where he was and what happened he used to shout at me and said it was none of my business. There were many instances where he would just scream at me for very miniscule reasons like one day I, by mistake, added a little bit of extra salt in the food to which Duryodhan shouted and then threw the plate at me which terrified me and left me broken. He always used to compel me to take leaves from my office in order to do domestic work and to take care of the mother in law.

Furthermore, as time passed by, he stopped giving me any money as I always requested him to assist me with my finances as I was not regular on my job because of the reason that I was

compelled to stay at home. Also, that he did not pay any attention to our daughter and even when she was ill, only I took her to the doctor but he never came said that he was busy. When the company was being liquidated, Duryodhan left me alone and he used to stay in isolation. I suspect he was gambling and was into unethical practices. During that time, my mother in law used to say that I was a curse to them and she since I have stepped into this house, this house is possessed and termed me as a 'chudail'. On that very day she slapped me when no one was home. Frustrated and humiliated with the above, I moved a divorce petition in this court and seek speedy justice.

I have checked that everything above is true and correct to the best of my knowledge.

**Sd/-
Draupadi**

P.W.-2 Shakuni

My name is Shakuni s/o Subala r/o Gandhara Appts, age 35, and I am the brother of Draupadi. My sister entered into a wedlock with Duryodhan in the year 2017 which was great start. As the time passed by, my sister started to complain about her marital life which started increasing day by day. I advised her that it takes some time to adjust in a new place and that eventually everything will be settled. I also reminded her to take her medicine, benzodiazepine, regularly and to not to miss any dosage. My sister used to tell me everything about her marital life which included things like going for movie with Duryodhan, going on outings with the family, the times when they had a fight with each other and so on.

In December 2018, me and my wife were invited for a dinner at Duryodhan's place and there we saw that her mother in law was pin pointing small small things to her which we did not like. Duryodhan was acting normally. One night, at about 2:00AM, I got a distress call from my sister stating that I am very scared of my husband and mother in law , she also stated that her husband and mother in law had slapped her and request to please come and take me away. I rushed to their place of residence and I tried to normalise the situation.

In the recent past, she told me about the losses in Duryodhan's business and at the same time told me about her deteriorating condition at home because of her husband and mother in law. I asked her to come my place and stay.

I have checked that everything above is true and correct to the best of my knowledge.

**Sd/-
Shakuni**

P.W.-3 Bhisma

I, Bhisma s/o Shantanu r/o A1/55 South Moti Bagh, age 50 is the neighbour Duryodhan and is living in this areas from my childhood. Duryodhan and Draupadi are husband and wife and I went to their marriage and had lot of food. I remember that one night, I heard screaming noises from their house where a lady was shouting at the top of her voice saying that "I'll hit you." I came to the balcony terrified and I saw that a doll was thrown down from the balcony of the first floor and then lights were switched off and there was complete silence. I went inside and slept subsequently.

I have checked that everything above is true and correct to the best of my knowledge.

**Sd/-
Bhisma**

Examination-in-Chief of Defence Evidence

D.W.-1 Duryodhan

I, Duryodhan s/o Late Sh. Ramanand Sagar r/o A1/35 South Moti Bagh, age 32. I entered into a wedlock with Draupadi and also had a daughter. I live with my wife, daughter and mother. I love my daughter very much and I make sure I prioritize my family's needs before my own. Our family was facing difficult financial problems as first of all my company was winding up and my wife's job was downsized and adding to the hardship of our life, my mother was diagnosed by Parkinsons disease because of which she became very sesitive. We, because of all this, are suffering from depression.

Looking at the situation of my mother and our little daughter, the most practical situation was that Draupadi stayed back at home and took care of our daughter and my mother. Till that time I would figure out something to subsist our family. Initially when I used to tell her things to do she would do it easily but slowly she started becoming repulsive and retaliated on almost everything I asked her to do even when I asked her to take care of my mother. Further, whenever I asked her to manage things at home, she used to act very strange and threatened me that she'll leave our home and made sure that I wont be able to see my daughter again and When she filed for divorce I knew she was just doing it on false pretence.

Also, for every excuse she said that she had to go to her office. One day , I saw Draupadi talking to someone in the middle of the night in the balcony which made me suspicious as she usually sleeps early, as soon as I approached she abruptly disconnected the call and went to bed. She also started coming home late and became very evasive. That is when I started to suspect that she is having an affair as she became completely distant with me.

When our business was dropping she instead of managing things, rather destroyed them by having heated arguments with my mother infront of me and my daughter and when I said her to stop she even threatened me for legal consequences. Lastly, she started to be reserved with me but used to tell everything to her brother Shakuni.

I have checked that everything above is true and correct to the best of my knowledge.

Sd/-

Duryodhan

D.W.-2 Kareena

_____I, Kareena d/o Late Sh Sunil Chetri r/o A1/35 South Moti Bagh, age 80 years. I am in my full senses and I am ready to give this testimony. The Prime Minister of this country is Sh. Narendra Modi. There are 4 wheels in a car. $5+1 = 6$. My son is a hardworking person who after the death of my husband have taken care of me and his business and is an obedient boy. He got married to Draupadi out of a love affair in U.S.A.

I am suffering from Parkinson disease and it has made my life very difficult. We could not afford a care taker or full time servant for us as our business was running with losses and my daughter in law was on the verge of getting downsized. I never wanted to trouble my daughter in law with her duties as I have done the same all of my life, but because of my unfortunate situation I needed support to conduct my daily routine. Once , I was in my balcony and I saw some stranger dropping my daughter in law back home from office at an odd hour , I tried asking Draupadi about him to which she screamed back at me asking me to not interfere in her life.

I always asked for help from my daughter in law but she never helped me wholeheartedly and treated me as if I was not even a part of the family. I, because of this used to remind her firmly that she should not break the family and the importance of everyone being stable for her daughter.

I have checked that everything above is true and correct to the best of my knowledge.

Sd/-

Kareena

D.W.-3 Dr Bhim

_____I, Dr Bhim s/o Pandu Ranga r/o 23 Jor Bagh, age 53, is a practicing doctor in AIIMS Delhi. I have been treating Kareena for early stages of Parkinson disease and she has been my patient throughout her diagnosis. All the medications taken by her are correct and throught the daily log and my own personal knowledge, most of the times she used to come with her daughter

in law and also sometimes she used to come by herself. Also, on several occasion Duryodhan have consulted me for a good psychiatrist as he stated that he was in depression.

I have checked that everything above is true and correct to the best of my knowledge.

Sd/-

Dr Bhim