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Filing divorce case

7 months ago 11



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Let the criminal case get decided by the competent court, after that move petition for divorce.

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Vijay Raj Mahajan ▾

Advocate

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498A Victim ▾

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There is no restrictions on filing divorce case if you really want to divorce. both dowry and divorce cases will run independent of each case. some people say 1st win dowry case, then file divorce on mental cruelty. Dowry case will go 3-4Years minimum and divorce another 3-4 years. total 7-8Years. if you have good evidences and really want divorce, then file. But most wise lawyers will advise you, if possible, reasonable, affordable settlement go for it than wasting prime youth, running behind unending court dates and loosing peace mind for you and family.

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498A Victim ▾

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because laws are not in our favor. women centric

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7 months ago



Sugar Daddy

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file divorce on mental cruelty don't wait... Yes settlement would be a great option but majority percent women goes to court or demnad unreasonable money and fight few years before settling with reasonable amount. Yes dowry cases are useless and mostly false even if you have plenty of evidence it will take long and there's no surety of winning it.

Reply

7 months ago



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Out of the court, she is saying to take her back (no idea if she will take back her report). I don't have any proof/witness to show mental cruelty (just verbal fights) so my case is weak. But not possible for me to live with such a girl who always follow her own family and can go for dowry case. Because if I keep her then she will always be threatening me in future or if even a small scratch happen to her by natural cause or her own mistake then her family gonna make go through dowry complaints and tortures. Currently none of her side shown any monetary demand to settle case. They just want me to bring her back as it's their prestige to be on sake. So I m not sure if they want settlement. But the report they put is incorrect that I know but I am afraid that even after 5-6 years of fight, court will dismiss case calling it no evidence rather than false case.

Reply

7 months ago



Sugar Daddy

I know man I have also having 498a 406 DV and 354a on my younger brother filed by my WIFE. And it's true court will dismiss saying no evidence for dowry bcz that's what happen mostly. That won't help you or her either basically these cases are mental game to pressurize you to take her back. Don't take her back. If you don't have any proof she won't have it either. Fight the case don't look much weak. After FIR is filled

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take Anticipatory bail and fight the case. She will herself ask for settlement after years. You must file divorce I m not a advocate but someone who is going through such things. And also brace yourself for further cases like maintainance and so on.

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Sachin ▾

N.A

👍 Likes: 242

Points: 4474

Originally posted by : Anand Shan

Wife has reported dowry demand from in laws and husband in police (no FIR yet). Now husband's advocate asked him to file for divorce on mental cruelty and when dowry FIR will be registered then he will look for bail.1. Please advice whether to divorce petition is good to go or to first fight dowry case? 2. As in most of the dowry case if husband wins, still the judge says wife unable to prove evidence. means case neither false nor true.

You are not advised to file case at this stage, because when you will file divorce case your wife in respond to your divorce petition she will file "application for interim maintenance" and court will decide her application first before proceeding anyfurther.

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🕒 7 months ago



Sugar Daddy ▾

Respected Sachin his wife cannot file interim maintainance ? under domestic violence case?

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Points: 166

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Totally agree. But as she is not living with me right now and after her report, I am not ready to accept her a(s she may play any game to tackle us in more false stories.) So her advocate may suggest her to file for interim maintenance without delay?

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NA

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