



209(2)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

TA-624-2026

Date of Decision: AUGUST 13, 2026

Jyoti @ Jyoti Sharma

.....Applicant

Versus

Deepak Bohna

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Tarun K. Sharma, Advocate for the applicant.

Mr. Sachin Kumar, Advocate for the respondent.

HARKESH MANUJA, J. (ORAL)

1. The applicant-wife, by way of present application, seeks transfer of petition bearing HMA/44/2026, titled “**Deepak Bohna vs. Jyoti**”, filed under Section 13(1)(ia) of the Hindu Marriage Act, 1955 (**hereinafter to be referred as “the Act”**) at the instance of respondent-husband; from the Court of learned Principal Judge, Family Court, Karnal, Camp Court at Indri to the Court of competent jurisdiction at Charkhi Dadri.

2. Briefly stating, the marriage between the applicant and respondent was solemnized on 10.02.2019, on account of matrimonial discord between the parties, the above mentioned petition under Section 13(1)(ia) of the Act, came to be preferred at the instance of respondent-husband. Thereupon, the present application seeking transfer thereof came to be filed by the applicant-wife.

3. Learned counsel for the applicant, *inter alia*, contends that the applicant-wife is residing at her parental home at Charkhi Dadri. Accordingly, a prayer is made for transfer of the above mentioned petition filed at the instance of respondent-husband from Family Court, Karnal to Family Court, Charkhi Dadri.

4. On the other hand, learned counsel for the respondent vehemently opposes the prayer made on behalf of the applicant.

5. I have heard learned counsel for the parties and gone through the paper-book.

6. In the present case, admittedly, the applicant-wife has filed following petitions at Charkhi Dadri:

- i. a maintenance petition under Section 144 of BNSS bearing No.MNT/125/222/2025
- ii. execution application under Section 125 CrPC bearing No. CRM-309-2026
- iii. a petition under the provisions of Protection of Women from Domestic Violence Act, 2005 bearing No.COMA/207/2021
- iv. a petition under Section 9 of Hindu Marriage Act, 1955 bearing No.DMC/15/2021

7. On the other hand, the respondent-husband has filed the following petitions:

- i. a civil suit bearing No.884 of 2021 at District Charkhi Dadri.
- ii. CRR-53/2023 arising out of application filed under Section 125 CrPC at Charkhi Dadri.
- iii. Civil Suit i.e. CS/2969/2025 filed by respondent No.1 at Gharounda, District Karnal.
- iv. petition under Section 13 of Hindu Marriage Act, 1955 bearing No.HMA/44/2026 at Indri, District Karnal.

8. Furthermore, the Hon'ble Supreme Court in its decision rendered in **"Manjula Singh Chouhan Versus Vishal Singh Chouhan"**, reported as **2019 (13) SCC 660** held that, in the interest of both the parties, all connected matrimonial proceedings should ordinarily be heard by the same Court and, accordingly, allowed the transfer application therein.

Relevant paragraphs No. 3 to 5 thereof are reproduced hereunder:-

"3. As per the submission of the appellant, two cases are already pending in Family Court, Bhopal, and it will be in the interests of both the parties to try all their cases in Bhopal. Learned counsel for the respondent however, submits that it will suit to the appellant only, therefore, transfer

- may not be permitted. The fact remains that the respondent has to travel to Bhopal for conduct of other cases pending in Family Court, Bhopal.*
- 4. We are of the view that it will be in the interests of both the parties that all their cases be heard together by the same Court.*
- 5. Therefore, H.M.A. Case No.71/2016 is transferred from Family Court, Indore to the Family Court, Bhopal.”*

9. Considering the aforesaid facts and circumstances, in the humble opinion of this Court, since a 6 petitions are pending adjudication at Charkhi Dadri, therefore, it would be in the interest of both the parties that all their cases be heard together at the same place. Consequently the transfer application is **allowed** and the petition under Section 13(1)(ia) of the Hindu Marriage Act, 1955 i.e. HMA/44/2026, titled **“Deepak Bohna vs. Jyoti”**, filed by the respondent-husband, stands transferred from the Court of learned Principal Judge, Family Court, Karnal to the Court of competent jurisdiction at Charkhi Dadri. The requisite record of the aforesaid case be sent by the learned Family Court, Karnal to the Court concerned.

10. Pending miscellaneous application(s), if any, shall also stand disposed of.

13.08.2026
Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>