

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-17219 of 2015 (O&M)

Date of decision: 27.11.2015

Kabal Singh

...Petitioner

Versus

Harjit Kaur

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. B.S. Jaswal, Advocate for the petitioner.

Mr. Tarunvir S. Lehal, Advocate for the respondent.

Jitendra Chauhan, J. (Oral)

The present petition under Section 407 of the Code of Criminal Procedure (for short 'Cr.P.C.'), has been filed seeking transfer of the petition titled “Harjit Kaur Vs. Kabal Singh”, pending adjudication before the learned Civil Judge (Jr. Divn.), Batala, to the Court of competent jurisdiction at Amritsar.

It is contended that enquiry into the complaint addressed to the Commissioner of Police, Amritsar by the respondent-wife is pending at Amritsar. The petitioner has also filed a petition under Section 9 of the Hindu Marriage Act at Amritsar wherein the respondent has caused representation. The respondent has deliberately filed the case at Batala just to harass the petitioner,

therefore, the case filed at Batala is liable to be transferred to the competent Court at Amritsar.

On the other hand, the learned counsel for the respondent states that the respondent has filed three cases against the petitioner at Batala, and has not filed any case at Amritsar. Therefore, the present petition deserves to be dismissed.

Heard.

After perusing the case file and after hearing the arguments from both side, this Court is of the considered opinion that there is no strong ground to transfer the case from Batala to Amritsar. The respondent-wife is residing at Batala at her parental home and she has already filed three cases against the petitioner at Batala, wherein, both the parties have been causing representation, therefore, at this stage, the transfer of petition would unnecessarily cause delay in conclusion of the litigation.

In view of the above, the present petition is hereby dismissed.

27.11.2015

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(JITENDRA CHAUHAN)
JUDGE