

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

CRM No.M-18081 of 2015 (O&M)

Date of Decision: 15.09.2015

Ruchita

..... Petitioner

Versus

Lalit Goyal

..... Respondent

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

Present: Mr. Karan Singh, Advocate
for the petitioner.

None for the respondent.

R.P. NAGRATH, J. (ORAL)

The instant petition has been filed under Section 407 Cr.P.C. read with Section 482 Cr.P.C. for transfer of petition No.207 of 2014 dated 18.09.2014 titled "Ruchita Vs. Lalit Goyal" under Section 125 of Cr.P.C. filed by the petitioner for maintenance, fixed for 02.06.2015, from the Court of the Judicial Magistrate, Patiala to the competent Court at Panchkula. Written statement filed by the respondent dated 24.02.2015 is Annexure P-4.

Registry has reported that the respondent has been served but there is no representation from him.

I have heard learned counsel for the petitioner and perused the paper-book.

It is submitted that when the petition was filed, the petitioner was residing at Patiala but now she has shifted her residence to Panchkula.

Learned counsel further submits that application, Annexure P-2, separately filed by the petitioner under Section 12 of the Protection of Women from Domestic Violence Act, 2005, the respondent and his other relatives are the co-respondents and the application is pending in the Court of Magistrate at Panchkula. It is also stated that the respondents in the said petition under the Act of 2005 have been served and are contesting the matter. The learned counsel further submits that FIR No. 401 dated 29.08.2014, under Section 498-A/406/506/182 IPC has also been registered at Sector 5, Panchkula (Annexure P-1) against them.

In the above and to the best interest of justice, particularly when the petitioner is a female, the present petition is allowed and the petition under Section 125 Cr.P.C. titled as “Ruchita Vs. Lalit Goyal” pending in the Court of learned Chief Judicial Magistrate/Judicial Magistrate, Patiala is ordered to be transferred to the Court of Chief Judicial Magistrate, Panchkula the district where the other case is already pending. The Chief Judicial Magistrate, Panchkula may either keep the petition on his own file or transfer the same to any other Court of competent jurisdiction.

The parties are directed to appear before the Court at Panchkula on 08.10.2015.

15.09.2015

Bhumika

**(R.P. NAGRATH)
JUDGE**