

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc.No.M-22900 of 2015 (O&M)

Date of decision: 15th December, 2015

Amit Kumar

...Petitioner

Versus

Anita Devi and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Ashwani Gaur, Advocate,
for the petitioner.

Mr. Robin Singh Hooda, Advocate,
for respondent No.1.

Mr. Sandeep Kotla, Advocate,
for respondent Nos.2 and 3.

INDERJIT SINGH, J.

Petitioner has preferred the instant petition under Section 407 Cr.P.C., for transfer of case No.RBT-131/17.04.2013 titled as Anita Devi versus Amit Kumar etc, filed under Protection of Women from Domestic Violence Act, 2005, pending in the Court of Judicial Magistrate Jhajjar, to the Court of competent jurisdiction at Sonapat.

Notice of motion was issued.

Learned counsel for respondents appeared.

At the time of arguments, learned counsel for the petitioner contended that respondent No.1, wife of petitioner, is residing in District Sonapat and the proceedings pending under the Women from Domestic Violence Act, 2005 be transferred to competent jurisdiction at Sonapat.

On the other hand learned counsel for respondents, though, did not file any reply but contested the instant petition.

I have heard learned counsel for the parties and have gone through the record.

The petitioner is residing at Delhi. This petition for transfer has been filed only on the ground of inconvenience of the petitioner, in view of the fact that the other proceedings are also pending at the Courts at Sonapat. However, it is settled law that in matrimonial disputes inconvenience of the husband is not to be seen. Only inconvenience of the wife is to be seen. Therefore, no ground to transfer the case on the basis of inconvenience of the petitioner, who is husband of respondent No.1, is made out.

Learned counsel for the petitioner has cited **2015 (2) Recent Apex Judgments 435 Pritam Ashok Sadaphule and others versus State of Maharashtra and another.**

I have gone through the said judgment.

This judgment, having distinguished facts, will not apply in the instant case.

Therefore, finding no merit in the instant petition, the same is dismissed.

15th December, 2015
mamta

(INDERJIT SINGH)
JUDGE