

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

T.A. No.760 of 2013 (O&M)
Date of Decision.21.04.2015

Pankaj Miglani

.....Petitioner

Versus

Rekha w/o Amrit Pal Singh Atwal

.....Respondent

Present: Mr. Rajesh Gupta, Advocate
for the petitioner.

Mr. Ashdeep Singh, Advocate
for the respondent.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

C.M. No.8137-CII of 2015

Application is allowed.

Replication is taken on record.

T.A. No.760 of 2013

1. The petition for transfer is sought by the husband of custody proceedings which are now initiated by the divorced wife at Jalandhar. The petitioner claims that his own safety is apprehended and there is a criminal complaint already registered for offence under Section 307 IPC against the wife. The counsel appearing for the wife explains that it was an occasion where she wanted to see her child and when she showed up in Haridwar, he assaulted her and also cast grave danger to another child born through the second husband after divorce. There is

hardly anything for the husband to fear, for, he is a lawyer and he hovers around with police escort at all times having taken some orders from the High Court of Uttarakhand at Nainital. I would believe that a lawyer can secure adequate protection for himself and he is so empowered by orders of the Uttarakhand High Court at Nainital. I do not think the plea of apprehension to personal safety is so overwhelmingly caused against the petitioner to require the proceedings to be transferred at any other Court.

2. I do not think the petition is bona fide and I dismiss the transfer application.

(K. KANNAN)
JUDGE

April 21, 2015
Pankaj*