

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

**CRM-M-32611-2017
Date of decision-03.10.2017**

Ranjna

...Petitioner

Vs.

State of Haryana and others

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Amit Chaudhary, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 482 read with Section 407 of the Criminal Procedure Code has been filed for transferring the trial in FIR No.350 dated 02.06.2016 registered under Sections 498-A, 323, 506 and 511 read with Section 34 of Indian Penal Code at Police Station Saran, Faridabad to District Courts Gurgaon.

Learned counsel for the petitioner contends that the transfer of proceedings pending adjudication before Judicial Magistrate, First Class, Faridabad have been sought on the ground that it is difficult for the petitioner to attend the Court proceedings at Faridabad as now she has been residing along with her minor children at Gurgaon, which is at a distance of about 50 kilometres from Faridabad.

Heard.

Hon'ble the Supreme Court in *Krishna Veni Nagam Vs. Harish Nagam, 2017(2) R.C.R (Civil) 358*, has held as under:-

“18. We, therefore, direct that in matrimonial or custody matters or in proceedings

between parties to a marriage or arising out of dispute between parties to a marriage, wherever the defendants/respondents are located outside the jurisdiction of the court, the court where proceedings are instituted, may examine whether it is in the interest of justice to incorporate any safeguards for ensuring that summoning of defendant/respondent does not result in denial of justice. Order incorporating such safeguards may be sent along with the summons. The safeguards can be:-

- (i) Availability of video conference facility.*
- ii) Availability of legal aid service.*
- iii) Deposit of cost for travel, lodging and boarding in terms of Order 25 Cr.P.C.*
- iv) E-mail address/phone number, if any, at which litigant from outstation may communicate.”*

Admittedly, there is video conference facility available throughout the State of Haryana. In view of the above guidelines, the prayer made in the petition is declined. However, considering the fact that the petitioner is unable to maintain herself at Faridabad and is staying with the minor children and does not have any resources, the petitioner shall be paid Rupees one thousand on each visit to the Courts at Faridabad with regard to all the proceedings in the matter.

This petition is disposed of without issuing notice to the respondents with a view to impart complete justice to the parties and save the huge expenses, which may be incurred by the respondents as also in

order to avoid unnecessary delay in adjudication of the matter. Still, if dissatisfied, the respondents may move this Court for recalling this order within three months from the receipt of certified copy of this order.

Disposed of, accordingly.

October 03, 2017

vanita

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No