

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

CRM-M No. 8119 of 2017(O&M)

Date of decision: 6.4.2017

Deepak Kumar

....Petitioner

VERSUS

Sonia Rani

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Munish Gulati, Advocate for the petitioner.

REKHA MITTAL, J.(Oral)

The petitioner has approached this Court for transfer of cases filed by the respondent-wife under the Protection of Women from Domestic Violence Act, 2005 and Section 125 of the Code of Criminal Procedure, 1973 on the premise that on several occasions, when the petitioner had gone to attend the proceedings at Faridkot, he was mis-handled by the family members of the respondent, therefore, it has created serious apprehension in his mind that he may suffer at their hands due to which he is not able to defend the proceedings.

The petitioner submitted applications dated 18.11.2016 (Annexure P-1), 05.12.2016 (Annexure P-2) and 19.01.2017 (Annexure P-3) to Station House Officer of the Police Station concerned, sufficient to substantiate his contentions raised in the petition. It has further been argued that the petitioner is ready to settle the dispute with his wife one way or the other, if the respondent is called upon to appear before this Court.

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

On a pointed query raised by the Court, counsel for the petitioner has fairly informed that the police has not initiated any action on the complaints allegedly made by him. Admittedly, the petitioner has not got himself medically examined with regard to any such assault by family members of the respondent. The petitioner has not submitted any application before the Court below with regard to any mischief being played by relatives of the respondent.

So far as the plea that the petitioner is ready to settle the dispute, the petitioner is well within his right to make such a request before the Court below and the parties can be referred for mediation at the local Mediation and Conciliation Centre.

In view of the above, the petition stands disposed of. However, in case the petitioner makes a request before the Court below for referring the parties to mediation, the Court would find out if there is an element of settlement of dispute arising out of marital disharmony and if need be, the parties shall be referred to the Mediation and Conciliation Centre of the Court at Faridkot.

APRIL 6, 2017

‘D. Gulati’

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned : yes/no

Whether reportable : yes/no