

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

TA No. 604 of 2017(O&M)

Date of decision: 18.8.2017

Teena Kaur

....applicant

VERSUS

Binwant Singh

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Arun Takhi, Advocate for the applicant.

REKHA MITTAL, J.(Oral)

The applicant prays for transfer of the petition under Section 13 of the Hindu Marriage Act, 1955 titled **Binwant Singh Vs. Teena Kaur** filed by the respondent from the Court of Additional District Judge, Jalandhar to a Court of competent jurisdiction at Hoshiarpur.

Counsel for the applicant has submitted that application under Section 125 Cr.P.C. filed by the applicant is pending in the Court at Hoshiarpur. The applicant has submitted an application for initiating criminal proceedings against the respondent and the same is pending consideration before the police authorities at Hoshiarpur. Another submission made by counsel is that as the respondent is a member of the police force posted at Jalandhar, he is trying to use his influence as such to put pressure upon the applicant to succumb to his terms and conditions.

The physical distance between the two places is approximately 70 KMs. The applicant has tried to create forum of her convenience by filing an application under Section 125 Cr.P.C. subsequent

to the petition under Section 13 of the Hindu Marriage Act, 1955 filed by the respondent. The proceedings are pending in a Court of law and it is difficult to accept that the respondent being a police officer would be able to wield influence upon the Court. Under the circumstances, it is appropriate that the petition is allowed to continue at the place where the same is filed. However, the applicant is at liberty to file an appropriate application for issuance of directions in the light of judgment of Hon’ble the Supreme Court in **Krishna Veni Nagam Vs. Harish Nagam, 2017 (2) RCR (Civil) 358**. In case such an application is filed by the applicant, the same shall be disposed of by the Court below before proceeding further with the matter.

With the aforesaid observations, the petition stands disposed of.

AUGUST 18, 2017 ‘D. Gulati’		(REKHA MITTAL) JUDGE
Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no