

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

CRM-M-14106-2018 (O&M)

Date of Decision: 06.12.2018

Navdeep Singh

....Petitioner

Versus

Amandeep Kaur and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Virinder K. Shukla, Advocate
for the petitioner(s).

Mr. Vijay Lath, Advocate
for respondent No.1.

Mr. Amandeep Saini, Advocate
for respondents No.2 to 6.

ANITA CHAUDHRY, J

This transfer petition is on behalf of the husband seeking transfer of the petition filed under Section 125 Cr.P.C. and the complaint filed under the Domestic Violence Act which are pending in the Courts at Nakodar. The petitioner seeks transfer of the same as the father of the respondent is a practicing lawyer and he is facing difficulties.

Counsel for the petitioner contends that a divorce petition was filed by the petitioner at Amritsar and the respondent had approached the High Court and had sought its transfer and since the father of the respondent was also practicing in Jalandhar, the petition was transferred to Kapurthala

and they had given their no objection to the transfer.

It needs to be mention here that an objection had been raised on the previous hearing by the respondent that there were other persons who had been arrayed as an accused in the Domestic Violence complaint and only one person had approached this Court.

Counsel for the petitioner to make amends, filed an application for impleading respondents No.2 to 6 and he had also filed amended memo of parties, that application was allowed on the last date of hearing.

Today counsel appearing for respondents No.2 to 6, who are the performa respondents, states that they had no objection to the transfer.

Counsel for the respondent had raised technical objection that two separate petitions should have been filed as there were two matters which were sought to be transferred.

Some of the parties to the two petitions are common. Such a technical objection should not have been raised. As regard the other objections, the counsel for the respondent had urged that the minor was also one of the applicants and he had not been impleaded, this is again a hyper technical objection. The mother would represent the minor child. She is already before this Court.

Without expressing any opinion on the plea taken by the petitioner, it would be appropriate that all the matters are tried at Kapurthala. Therefore, the two petitions which are referred to in the title are withdrawn from the respective Courts and transferred and District Judge, Kapurthala would entrust the cases to the competent Court.

The parties would appear before the District Judge, Kapurthala on 03.01.2018.

Meanwhile, intimation be sent to the concerned Courts, so that the files reach the Court of the District Judge, Kapurthala before the date fixed.

The petition is allowed.

December 06, 2018

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**(ANITA CHAUDHRY)
JUDGE**

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No