

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

CRM-M-30866-2018

Date of decision:-27.7.2018

Anju and others

...Petitioners

Versus

Heera Lal @ Vishal and others

...Respondents

CORAM : HON'BLE MR. JUSTICE H.S. MADAAN

Present : Mr.Rajesh Goyal, Advocate
for the petitioners.

H.S. MADAAN, J.

By way of filing the present petition, petitioner No.1 – Anju, petitioner No.2 Gopal Dass Chopra and petitioner No.3 – Parveen Malhotra seek transfer of calender bearing report No.19 dated 27.6.2018, under Sections 107/150 Cr.P.C. titled as 'Vishal Kapoor Versus Gopal and another' and calender with regard to report No.32 dated 15.3.2018 titled as 'Kanta Rani and another Versus Anju and another' pending before Sub Divisional Magistrate, Ambala from Ambala to Panipat.

As it comes out from the record that petitioner No.1 was married with Heera Lal @ Vishal son of Baldev Raj on 19.4.2017. After the marriage a matrimonial dispute had arisen between Anju on one side and husband's family on other side regarding which FIR No.1063 dated 14.8.2012 was registered, though the matter is said to

have been compromised later on. As the things did not become normal, petitioner No.1 had filed a petition under Section 125 Cr.P.C. and under Section 12 of the Protection of Women from Domestic Violence Act, 2005 against her husband and in-laws family. There again the matter was compromised. A quarrel had taken place between Anju and her mother-in-law Kanta Rani. Asha Rani daughter of Kanta Rani had informed the police telephonically in that regard on 4.3.2018. As per information given, Anju had given beatings to Kanta Rani. On getting information, police reached the spot. Kanta Rani submitted a written complaint to the police that she had been given beatings by her daughter-in-law Anju and she had done so on earlier occasions also. Kanta Rani had got herself medically examined, which reflected two injuries on her person. Report No.32 dated 15.3.2018 was accordingly registered against Anju. On the other hand, Anju accompanied by her parents had gone to police post concerned and submitted a complaint there alleging that on 4.3.2018 at about 7:00 p.m., her mother-in-law Kanta Rani and sister-in-law Asha Rani had quarreled with her and hit her with a brick on her face and arm causing injuries to her; that her husband had taken her out of home and left at the bus stand and then she went to her parental home and narrated the entire incident and thereafter accompanied by her parents had returned to Ambala, took medicines from Civil Hospital, Ambala and thereafter lodged report with Women Police Station.

The petitioner seek transfer of both the calenders to the Court of competent jurisdiction at Panipat.

After hearing the learned counsel for the petitioners and

going through the record, I find that the request cannot be accepted. The quarrel between the petitioner No.1 and her mother-in-law Kanta Rani had taken place in the matrimonial home at Ambala. The mother-in-law of petitioner No.1, who had allegedly been given beatings by petitioner No.1 had lodged a report with the police station having jurisdiction at Ambala. Subsequently, Anju had also lodged report there giving her version levelling allegations against her mother-in-law Kanta Rani and sister-in-law Asha Rani. As per the case of petitioners, petitioner No.1 has been residing with her family on the first floor of the house, whereas her mother-in-law and sister-in-law on the ground floor. No reason is there to transfer the two cases to the Court of competent jurisdiction at Panipat when the parties reside within jurisdiction of Court at Ambala. It appears that petitioners want the cases to be transferred to Court at Panipat so that Kanta Rani and Asha Rani have to go to Panipat to attend the dates of hearing so as to cause inconvenience and harassment to them.

There is no justifiable reason for transfer of two cases. The reasons given in the petition are least convincing and do not provide any ground for transfer of cases.

The petition being without merit stands dismissed accordingly.

(H.S.MADAAN)
JUDGE

27.7.2018
Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No