

Criminal Misc. No. M-5032 of 2018 (O&M)

Date of decision : May 23, 2018

Deepak Chopra

.....Petitioner

Versus

Sonika

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. H.P.S. Bhinder, Advocate
for the petitioner.

LISA GILL, J.

The petitioner seeks transfer of petition under Section 125 Cr.P.C. bearing case No. MNT 125/771/2017 filed by the respondent primarily on the ground that the petitioner apprehends threat to his life and liberty at the instance of the respondent at District Ludhiana.

It was brought to the notice of this Court on 07.02.2018 that Transfer application No. 681 of 2017 was filed by the respondent-wife seeking transfer of petition under Section 13 of the Hindu Marriage Act, 1955 filed by the petitioner. Parties were referred to mediation in the said matter. It was informed that the parties had been called before the Mediation and Conciliation Centre of this Court on 15.03.2018. The present matter was also ordered to be placed before the Mediation and Conciliation Centre of this Court without adverting to the merits of the controversy.

As per the report of the Mediator, an amicable settlement between the parties could not fructify.

Petition is, accordingly, taken up for preliminary hearing today.

The petitioner, it is submitted, is a resident of Yamuna Nagar and it is difficult for him to travel to Ludhiana. Moreover, the petitioner

apprehends danger to his life and liberty in case he goes to Ludhiana. It is, thus, prayed that this petition be allowed and the matter be transferred from Ludhiana to Yamuna Nagar or any other place close to Yamuna Nagar.

Heard, learned counsel for the petitioner at length.

The respondent is admittedly residing at Ludhiana. No detail of any specific instance has been mentioned in the petition or stated at the time of arguments, which would indicate any threat to the life and liberty of the petitioner or even an instance which would give rise to a justified apprehension in this regard. Learned counsel for the petitioner is unable to point out any ground whatsoever to justify transfer of proceedings from Ludhiana to Yamuna Nagar.

Present petition is, accordingly, dismissed.

May 23, 2018
rts

(Lisa Gill)
Judge

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