

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

TA No.294 of 2018 (O&M)  
Date of decision: 11.07.2018

|                |     |               |
|----------------|-----|---------------|
| Ramandeep Kaur | VS. | .. Petitioner |
| Baljit Singh   |     | .. Respondent |

**Coram: Hon'ble Mr. Justice Harinder Singh Sidhu**

Present:- Mr. Gurpal Singh Sandhu, Advocate for the petitioner.

Mr. Achin Gupta, Advocate for the respondent.

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**Harinder Singh Sidhu, J.**

Reply filed by the respondent in the Court is taken on record.

The petitioner is the wife and the respondent her husband. This petition has been filed under Section 24 of the Code of Civil Procedure for transferring of the case filed under Section 13(1) of the Hindu Marriage Act titled as “Baljit Singh Vs. Ramandeep Singh” pending in the Court of Ld. District Judge, Faridkot to a Court of competent jurisdiction at Sri Muktsar Sahib.

Learned counsel for the petitioner states that the marriage of the petitioner was solemnized with respondent on 28.01.2015. It is stated that relation of the petitioner with the family of the respondent is not good as they harassed and tormented her. The petitioner gave birth to the male child Gurfateh Singh, who is 11 months old and is staying with the petitioner at her parental home in Sri Muktsar Sahib. The petitioner has instituted proceedings under Section 125 Cr.P.C., which are pending before the Court at Sri Muktsar Sahib. Besides, criminal complaint under Section 498-A and 406 IPC against the respondent is pending in the Court of JMFC Sri Muktsar Sahib. Respondent is attending the Court proceedings in those cases.

The respondent has instituted a petition under Section 13(1) of the Hindu Marriage Act, which is pending in the Court of Ld. District Judge, Faridkot. It is very difficult to the petitioner to attend the court proceedings at Faridkot particularly in view of her having minor child who is 11 months old.

Learned counsel for the respondent on the other hand contended that the respondent apprehends threat to his life in going to Sri Muktsar Sahib from the father of the petitioner, who was earlier in Punjab Police. He also states that on 20.11.2017, the respondent was attacked by the father of the petitioner when he had gone to attend the Court proceedings. The matter was reported to the Police but no action was taken.

In regard to above assertion of the respondent, it may be noted that he has not placed on record MLR with regard to any injury sustained in alleged attack. Apart from the solitary incident, no other act of highhandedness of the family members of the petitioner has been pointed out.

Considering the aforesaid facts and circumstances, this petition is allowed.

The case filed under Section 13(1) of the Hindu Marriage Act titled as “Baljit Singh Vs. Ramandeep Singh” pending in the Court of Ld. District Judge, Faridkot is ordered to be transferred to Family Court, Sri Muktsar Sahib.

11.07.2018  
Atul

(Harinder Singh Sidhu)  
Judge

Whether speaking/reasoned  
Whether Reportable:

Yes/No  
Yes/No