

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

T.P. (Cr.) No.10 of 2019

Jhalendra Kumar Sahu, aged about 28 years, son of Shri Sarju Prasad Sahu, resident of Village Kodwa, Post Office Sasaha, P.S. and Tahsil Palari, District Baloda Bazar – Bhatapara, Chhattisgarh

---- Petitioner

versus

Smt. Surekha Sahu, wife of Shri Jhalendra Kumar Sahu, aged about 26 years, (Father Shri Vishwanath Sahu), resident of Village Sarfonga, Post Office Bhatbhera, Tahsil Tilda, District Raipur, Chhattisgarh

--- Respondent

For Petitioner	:	Shri Malay Kumar Bhaduri, Advocate
For Respondent	:	Shri Sumit Jhanwar, Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

5.12.2019

1. Heard on admission. Perused the material available.
2. Both the Petitioner and the Respondent are husband and wife. Their marriage was solemnised on 28.4.2016. 3 litigations are pending between them. An application under Section 9 of the Hindu Marriage Act was filed by the husband and the said application is pending before the 2nd Additional Sessions Judge, Balodabazar. On the basis of a report made by the Respondent/wife, a criminal proceeding under Section 498A read with Section 34 of the Indian Penal Code is also pending before the Judicial Magistrate First Class, Balodabazar. One more application under Section 125 of the Code of Criminal Procedure has been filed by the wife before the Family Court, Raipur. The Petitioner/husband has moved the instant petition for transfer of the application under Section 125 of the Code of Criminal

Procedure moved by the wife from Raipur to Balodabazar.

3. The Respondent/wife being a woman is going to attend the proceedings at Balodabazar. No petition for transfer of any case has been filed by the wife. The Petitioner/husband is 28 years old young person and the distance from his village to Raipur is not more than 60-70 Kms. Conveyance from his village to Raipur is sufficiently available. Considering these facts, I do not find any material to allow the instant transfer petition.
4. Accordingly, the transfer petition is dismissed at the admission stage itself.

Sd/-
(Arvind Singh Chandel)
Judge