

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-21367-2018

Date of Decision: 17.01.2019

Isha Bagga and others

.... Petitioners

Versus

Rakesh Bagga

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Sandeep Arora, Advocate for the petitioners.

None for the respondent.

RAMENDRA JAIN, J. (ORAL)

As per office report, respondent-Rakesh Bagga was served through his mother. However, none has come forward to represent him.

Through this petition under Section 407 read with Section 482 Cr.P.C., prayer has been made for transfer of complaint case No. RBT 365/16, under Sections 323, 325, 506 and 120-B IPC, pending in the Court of Judicial Magistrate Ist Class, Amritsar, to some competent Court at Jalandhar.

Heard.

Learned counsel for the petitioner *inter alia* contends that vide order dated 11.12.2018 passed in TA-436-2018 filed by the petitioner for transfer of petition under Section 9 of the Hindu Marriage Act, for restitution of conjugal rights filed by respondent-Rakesh Bagga at Amritsar, a co-ordinate Bench of this Court, has ordered for transfer of the same to Jalandhar. Other cases in between the parties are also

pending at Jalandhar. Therefore, in the fitness of things, the instant complaint may also be transferred to Jalandhar.

In view of the factual aspect disclosed above, the aforesaid complaint (Annexure P-1) is ordered to be transferred from Amritsar to the Court of competent jurisdiction at Jalandhar, for disposal, in accordance with law.

The Chief Judicial Magistrate, Jalandhar, may retain the complaint on his Board or assign it to any other Court of competent jurisdiction.

January 17, 2019

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No