

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

**CRM M-44358 of 2018
Date of Decision: November 27, 2019**

Renu Yadav		Petitioner
	Versus	
Bhupender		 Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Jagmohan Ghumman, Advocate
for the petitioner.

None for the respondent.

FATEH DEEP SINGH, J. (Oral)

Prayer in this petition filed under Section 407 Cr.P.C. is for transfer of two cases, i.e. COMA/88/2018 titled as **Renu Yadav Vs. Bhupender and others** under Section 12 of the D.V. Act and MNT/206/2018 titled as **Smt. Renu Yadav and others Vs. Bhupender** under Section 125 Cr.P.C. pending in the Court of Judicial Magistrate 1st Class, Rewari to District Court, Gurugram on the ground that due to compelling circumstances, petitioner/wife Renu Yadav has been forced to shift to Gurugram and as she is looking after two minor daughters, it is quite difficult for her to look-after them and carry

on her obligations in life and attend each and every date of hearing.

In spite of notice, none has put in appearance for the respondent.

Upon hearing learned counsel for the petitioner and perusal of the records as has been placed before this Court, another petition between the same parties, i.e. D.M.C. No. 568 of 2018 titled as **Bhupender Vs. Renu Yadav** under Section 13(1) of the Hindu Marriage Act, was ordered to be transferred by this Court while allowing T.A. No., 896 of 2018 vide order dated 22.02.2019 on similar grounds to Gurugram.

More so, being a lady with minor kids residing in Gurugram, it would certainly be travesty of justice, if she is made to travel such a long distance between Rewari to Gurugram in view of the fact that she has to look after the minor kids and undergo her duties as mother.

Keeping in view the above and the fact that earlier a matter titled as **Bhupender Vs. Renu Yadav** under Section 13(1) of the Hindu Marriage Act stands transferred from District Courts Rewari to competent jurisdiction at Gurugram, the instant application stands allowed.

Resultantly, COMA/88/2018 titled as **Renu Yadav Vs. Bhupender and others** under Section 12 of the D.V. Act and MNT/206/2018 titled as **Smt. Renu Yadav and others Vs.**

Bhupender under Section 125 Cr.P.C. pending in the Court of Judicial Magistrate 1st Class, Rewari are ordered to be transferred to District Court, Gurugram.

Learned Judicial Magistrate 1st Class Rewari would transmit the files to the District and Sessions Judge, Gurugram, who would assign the same to the Court of competent jurisdiction at Gurugram.

November 27, 2019
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No