

CRM-M-25594-2019

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

CRM-M-25594-2019
Date of decision: 27.02.2020

Gagandeep

.... Petitioner

Versus

Ranjana & ors.

.... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Reena, Advocate
for the petitioner.

Mr. Ravinder Pal Singh, Advocate
for the respondents.

Manjari Nehru Kaul, J.(Oral)

Instant petition has been filed under Section 407 Cr.PC for the transfer of Case No.MNT/260020/18 dated 11.07.2018 under Section 125 Cr.PC for grant of maintenance allowance pending in the Court of Principal District Judge, Family Court, Hisar to the court of competent jurisdiction at Batala, District Gurdaspur, Punjab.

Brief facts of the case are that marriage of the petitioner and respondent No.1 was solemnized at Batala on 03.12.2003 as per Hindu Rites and Ceremonies. The parties were blessed with two children. After the marriage both petitioner and respondent No.1 lived a happy married life. However, after 2017 the behaviour of the petitioner changed and he started picking up quarrels with respondent No.1 on trivial issues. It was further alleged by respondent No.1 that the petitioner used to beat up the respondents and level false allegations against respondent No.1. The petitioner also

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stopped giving any money towards maintenance for the respondents for six months preceding the filing of the petition under Section 125 Cr.PC before the Family Court, Hisar.

Learned counsel for the petitioner has contended that the petitioner is working in Punjab Police and is posted at Batala. It is therefore, very difficult for him to attend the hearings before Family Court, Hisar, which is almost 375 Kms away from Batala, District Gurdaspur. Hence, it is prayed that the petition filed by the respondents under Section 125 Cr.PC be transferred from Family Court, Hisar to the court of competent jurisdiction at Batala, Gurdaspur.

Learned counsel for the respondents on the other hand has opposed the transfer of the case to Batala and submits that the trial is proceeding expeditiously and evidence is being recorded before the Court below.

After hearing learned counsel for the parties and keeping in view the facts and circumstances of the case, I do not find any justifiable reason to transfer the case under Section 125 Cr.PC from the Family Court at Hisar to the Court of competent jurisdiction at Batala.

Accordingly, the present petition stands dismissed.

27.02.2020
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/non-speaking?

Yes/No

Whether reportable?

Yes/No