

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

**CRM-M No.28216 of 2019 (O&M)**

Date of Decision:28.10.2021

(Heard through VC)

Karan Aggarwal

...Petitioner

Versus

Rubal Aggarwal and another

...Respondents

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. Harneet Singh Oberoi, Advocate  
for the petitioner.

Mr. Anil Shankar, Advocate  
for the respondent.

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**JAISHREE THAKUR, J. (ORAL)**

**CRM No.36042 of 2021**

Application is allowed.

Annexures A-1 and A-2 are taken on record.

**CRM-M No.28216 of 2019**

This is a petition that has been filed under Section 407 Cr.P.C. seeking transfer of petition under Section 125 Cr.P.C. titled as 'Rubal Aggarwal and another Vs. Karan Aggarwal' pending before the Additional Principal Judge, Family Court, Ambala to any competent Court at Patiala, Chandigarh or Mohali.

Learned counsel appearing on behalf of the petitioner would submit that grandfather of respondent No.1 was a famous lawyer, who remained as President of Bar Association of Ambala as well as Member of

Lok Sabha from Ambala Constituency and therefore, there is every likelihood that the petitioner may not only be implicated in a false case at the instance of the respondents but they may use their dominating position in the Bar Association of District Ambala against the petitioner and hamper the fair trial.

Learned counsel appearing on behalf of the respondent would submit that the petitioner herein, being husband, is liable to maintain his wife and the minor daughter and therefore, a petition under Section 125 Cr.P.C. has been filed, which is pending consideration before the Additional Principal Judge, Family Court, Ambala since 2019. The petitioner herein is trying all tactics to delay the proceedings and the instant petition is nothing but is one of such attempts. However, respondents herein have no objection in case the petition filed by the respondents herein under Section 125 Cr.P.C. for grant of maintenance is transferred to a competent court at Chandigarh with a direction to take a decision on interim maintenance in a time bound manner.

I have heard learned counsel for the parties and have perused the paper book. Keeping in view the statement made by learned counsel for the respondents, the instant petition is allowed and the petition under Section 125 Cr.P.C. titled as 'Rubal Aggarwal and another Vs. Karan Aggarwal', which is pending before the Additional Principal Judge, Family Court, Ambala is ordered to be transferred to Family Court, Chandigarh with a direction to decide the interim maintenance for the minor child within a period of six weeks from the date of receipt of certified copy of this order. Needless to say that plea of unnecessary adjournment will not be entertained

by the Family Court at Chandigarh on behest of either of the parties.  
Records of the petition under Section 125 Cr.P.C. titled as 'Rubal Aggarwal  
and another Vs. Karan Aggarwal' be sent to the Family Court at Chandigarh  
forthwith.

**October 28, 2021**  
Pankaj\*

**(JAISHREE THAKUR)**  
**JUDGE**

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |