

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

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**CRM-M-46943-2021
Decided on : 09.11.2021**

Abhishek

... Petitioner(s)

Versus

Rekha

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Abhimanyu Singh, Advocate
for the petitioner(s).

MANJARI NEHRU KAUL, J. (Oral)

By way of present petition filed under Section 407 Cr.P.C. read with Section 482 Cr.P.C., petitioner is *inter alia* seeking transfer of petition filed under Section 12 of the Protection of Women From Domestic Violence Act, 2005 (43 of 2005) along with Protection of Women from Domestic Violence Rules, 2006 bearing Case No. DV/190/2021, instituted on 27.07.2021 (CRN No. HRGR0304050392021), titled as, “Rekha Vs. Abhishek and others” (pending for 07.12.2021) (annexed as Annexure P-1) from the court of JMIC, Gurugram to the Court of JMIC, Bhiwani or any other Court between District Gurugram and District Bhiwani i.e. Court of JMIC, Jhajjar, for the convenience of both the parties.

Learned counsel for the petitioner has submitted that a false petition under Section 12 of the Protection of Women From Domestic Violence Act, 2005 (43 of 2005) along with Protection of Women from Domestic Violence Rules, 2006, has been filed at the instance of the respondent-wife. It has been further submitted that even though the

petitioner tried his level best to adjust with the respondent-wife and keep her happy, however, her behaviour was hostile towards him and his family from the very beginning of their marriage. Learned counsel urged that since the family of the respondent are well connected and have a criminal bent of mind, the petitioner has been living under their fear all the time. It is precisely for this reason it would be unsafe for him to travel to Gurugram from Bhiwani on each and every date of hearing.

I have heard learned counsel for the petitioner and perused the material on record.

The pleadings and the submissions made by the learned counsel for the petitioner have failed to inspire the confidence of this Court, so as to warrant acceptance of his prayer for transfer of the petition under section 12 of the Protection of Women From Domestic Violence Act, 2005 (43 of 2005) along with Protection of Women from Domestic Violence Rules, 2006 bearing Case No. DV/190/2021, instituted on 27.07.2021 (CRN No. HRGR0304050392021), titled as, “Rekha Vs. Abhishek and others” (pending for 07.12.2021) (annexed as Annexure P-1) from the Court of JMIC, Gurugram to Court of JMIC, Bhiwani.

Petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

November 09, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*