

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

101

TA-189-2022

Date of decision: 25.03.2022

GURPREET KAUR

.....Applicant

Versus

BALJIT SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. R.S. Sekhon, Advocate for
Mr. N.J.S. Dandiwal, Advocate for the applicant.

MANJARI NEHRU KAUL, J. (ORAL)

The applicant is seeking transfer of following petitions to
Courts of competent jurisdiction at Moga:-

i) Petition under Sections 11 and 12 of the Hindu Marriage Act, 1955 bearing No. HMA/30/2018 titled as 'Baljit Singh Vs. Gurpreet Kaur' pending in the Court of learned District and Sessions Judge, Tarn Taran (Annexure P-2).

ii) Petition under Section 125 Cr.P.C. bearing registration No.MNT-125/28/2021 titled as 'Gurpreet Kaur Vs. Baljit Singh pending in the Court of learned CJM, Tarn Taran (Annexure P-3).

iii) Complaint Case under Sections 354, 342, 409, 323 and 380 IPC bearing registration No.COMI26/2017 titled as 'Gurpreet Kaur Vs. Kashmir Singh and others' pending in the Court of learned SDJM, Khadur Sahib (Annexure P-1).

Learned counsel for the applicant submits that on account of a matrimonial dispute between the parties, the applicant has been residing at Moga ever since 2017. He submits that she is living at the mercy of her parents along with her minor daughter. He further submits

that since the applicant has been living at the mercy of her parents along with her minor daughter at Moga, it would be very difficult for her to commute to Tarn Taran which is approximately 70 kms. away, on each and every date of hearing.

On a pointed query put to the learned counsel as to what was the stage of the trial in the cases which are pending between the parties at Tarn Taran, he very fairly submitted that they were at an advance stage i.e. evidence was underway.

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

This Court, in the wake of the advance stage of trial coupled with the fact that the distance between Tarn Taran and Moga is hardly 70 kms., is not inclined to accept the prayer of the learned counsel to transfer the above said cases to the Court at Moga.

Dismissed.

25.03.2022

Vinay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No