

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 114

Criminal Miscellaneous No.M-3685 of 2023

Date of Decision: *January 23, 2023*

Amita Rani

..... PETITIONER(S)

VERSUS

Jangsher Khan & others

..... RESPONDENT(S)

...

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

...

PRESENT: - Mr. Arshdeep Singh, Advocate, for the petitioner.

. . .

Tribhuvan Dahiya, J (Oral)

This is a petition seeking transfer of the application filed under Section 12 of the Protection of Women from Domestic Violence Act, 2005 (for short, 'Act') before the Magistrate at Shahbad to Indri, District Karnal.

Learned counsel for the petitioner contends that the respondents have taken objection to jurisdiction of the trial Court to hear the application filed by the petitioner under Section 12 of the Act, and therefore, the petitioner seeks transfer of the application to Court at Indri, District Karnal.

In case an objection to the jurisdiction of trial Court to try the application at Shahbad has been taken by the respondents, that in itself is not a ground to file the instant petition seeking transfer of the application from Shahbad to Indri. The provisions of Section 407 or 482 Cr.P.C. cannot

be resorted to for getting-over the objection to jurisdiction of a particular Court to try the application/case.

Dismissed.

(Tribhuvan Dahiya)
Judge

January 23, 2023
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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No