

2023:PHHC:069787
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13821 OF 2022
Date of Decision: 15.05.2023

Himani Flora

.... Petitioner

Versus

Inder Flora and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Mr.Kartar Singh Malik, Advocate for the petitioners
Mr.Kiran Kumar, Advocate for the respondents.

SANJEEV PRAKASH SHARMA, J (ORAL)

1. The present petition has been filed under Section 407 read with Section 482 of the Code of Criminal Procedure for transferring of four cases annexure P-1 to P-4.

2. The counsel for the petitioner states that Phagwara where the present four cases are pending as mentioned in annexure P-1 to P-4 may be transferred to Panipat. The learned counsel for the petitioner points out that the petitioner-wife was earlier living at her matrimonial home at Phagwara and, therefore, the complaints filed by her were registered at Phagwara. However, after the disputes having been arisen, she is now living at her parentel house at Teh. Safidon, District Jind and she, therefore, prays for transferring the cases to District Jind.

3. Learned counsel appearing for the respondents Nos. 1 to 3 i.e. husband and other family members submits that the petitioners father is a Senior Advocate practising in Jind District and it would be in the interest of

justice if the cases are transferred which may be near to District Jind. Faced

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with the situation, learned counsel for the petitioner prays that the cases may be transferred to Panipat which is about 30 Km away from her place.

4. Having considered the aforesaid submissions and taking into consideration that the wife and her relatives ought not may too suffer litigation and expenses or travel for long distances for getting justice and in view of the settled law laid down by the Apex Court as reported in ***Rajani Kishor Pardeshi Vs. Kishor Babulal Pardeshi, 2005 (12) SCC 237***, I am inclined to allow this petition. The case Nos. COMI/7/2019, COMI/9/2019, COMI/6/2019 and CHI-CHALLAN/39 of 2019 are hereby directed to be transferred and assigned to the lerned District Judge Panipat and it is directed that he will assign the cases to the competent court of jurisdiction situated at Panipat itself. The parties shall be infomred about the dates and they will appear before the concerned District Judge on 26.05.2023.

The present petition stands disposed of accordingly.

(SANJEEV PRAKASH SHARMA)
JUDGE

15.05.2023

Raman

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