

Sr.No.103

2023:PHHC:146047

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

CRM-M-18218-2023(O&M)

Date of decision:16.11.2023

Charu Gupta

.....Petitioner

Versus

Ashok Kumar

.....Respondent

CORAM: Hon'ble Ms. Justice Harpreet Kaur Jeewan

Present: Naveen Bawa, Advocate
for the petitioner.

Harpreet Kaur Jeewan, J.(Oral)

1. Petition under Section 407 read with Section 482 Cr.P.C has been filed by the petitioner with a prayer to transfer the petition bearing Case No. MNT 125/48/2021 pending in the Court of learned Principal Judge, Family Court, Barnala under Section 125 Cr.P.C to the competent Court having jurisdiction at Ludhiana.

2. Learned counsel for the petitioner *inter alia* contends that at the time of filing the above said petition by the petitioner, she was residing with her parents at Ludhiana but due to lack of proper guidance, she filed the said petition at Barnala instead of Ludhiana. Since the petitioner is having a minor child, who is also arrayed as petitioner No.2 and the distance between Barnala to Ludhiana is about 75 KMs, as such it is difficult for the petitioner to pursue her petition by attending the Court proceedings at Barnala.

3. This Court feels that issuance of notice to the respondent would delay the proceedings.

4. Keeping in view the difficulty faced by the petitioner-wife who is also having a minor child, present petition is allowed and petition under Section 125 Cr.P.C filed by the petitioner bearing Case No. MNT 125/48/2021 pending in the Court of learned Principal Judge, Family Court, Barnala is ordered to be transferred to Family Court at Ludhiana. However, the respondent may approach this Court within a period of one month, if any facts have been mislead or concealed by the petitioner.

16th November, 2023
Shivani Kaushik

[HARPREET KAUR JEEWAN]
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No