

In the High Court of Punjab and Haryana at Chandigarh

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2023 : PHHC : 076871

CRM-M- 17178 of 2023

Date of Decision: 26.05.2023

Geetanjali Joshi

---Petitioner

versus

Amrinder Sharma

---Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Pankaj Bains, Advocate for
Mr. Ritesh Aggarwal, Advocate,
for the petitioner

JAGMOHAN BANSAL, J. (ORAL)

1. Through instant petition under Section 407 Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') read with Section 482 Cr.P.C, the petitioners are seeking transfer of petition bearing No.MNT/156/2021 dated 25.05.2021, titled as "Geetanjali Joshi and another vs. Amrinder Sharma" filed under Section 125 Cr.P.C. pending in the Court of Additional Principal Judge Family Court, Malerkotla to any court of competent jurisdiction at Barnala.

2. There is no representation on behalf of the respondent despite service. The court is left with no other option except to proceed with able assistance of learned counsel for the petitioner.

3. Learned counsel for the petitioners inter alia contends that petitioners are residing in the jurisdiction of District Courts, Barnala and petitioner No. 2 is minor daughter of the petitioner No. 1,

thus, it is very difficult to travel from Barnala to Malerkotla to attend court proceedings.

4. I have heard learned counsel for the petitioners and perused the record.

5. In view of facts and circumstances of the present case, the present petition deserves to be allowed and accordingly allowed with following directions :-

(i) Petition No. MNT/156/2021 dated 25.05.2021, titled as “Geetanjali Joshi and another vs. Amrinder Sharma” filed under Section 125 Cr.P.C. pending in the Court of Additional Principal Judge Family Court, Malerkotla is ordered to be transferred to the competent Court of jurisdiction at Barnala.

(ii) The Additional Principal Judge, Family Court, Malerkotla, is directed to transfer record pertaining to the aforesaid case to District and Sessions Judge, Barnala.

(iii) The District and Sessions Judge, Barnala will assign the said petition to the competent Court of jurisdiction.

(iv) The parties are directed to appear before the District and Sessions Judge, Barnala on or before 16.06.2023 at the first instance and thereafter as directed by said Court.

6. There is no representation of respondent, thus, he is at liberty

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to move an appropriate application, if something survives.

(JAGMOHAN BANSAL)
JUDGE

26.05.2023

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Whether speaking/reasoned : Yes

Whether reportable : Yes/No