

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 104

Criminal Miscellaneous No.M-41331 of 2022
Date of Decision: February 17, 2023

Prabhjot Singh

..... PETITIONER(S)

VERSUS

Manjit Kaur

..... RESPONDENT(S)

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

. . .

PRESENT: - Mr. Vivek K. Thakur, Advocate, for the petitioner.

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Tribhuvan Dahiya, J (Oral)

Delay condoned.

This is a petition for transfer of application under Section 125 Cr.P.C., i.e., MNT 125/31/2022 dated 29.03.2022 titled *Manjit Kaur vs. Prabhjot Singh* pending before the Family Court, Tarn Taran, to the Court of competent jurisdiction at Kapurthala. The aforesaid application has been filed by the respondent-wife against the petitioner-husband, claiming maintenance.

Learned counsel for the petitioner has argued that the petitioner is residing at Kapurthala. The respondent-wife has left the matrimonial home and two minor daughters are with the petitioner. He is pursuing his B.A., 5th Semester at Kapurthala, and also taking care of his old ailing mother. Therefore, he is not in a position to go to Tarn Taran to attend the proceedings of the maintenance case.

Merely because the petitioner is resident of Kapurthala and has to take care of the minor daughters, apart from his mother, is not a ground to transfer the maintenance petition filed by the respondent-wife at

Tarn Taran to the petitioner’s place of residence. He is an able-bodied person and can easily go to attend the proceedings of the case at Tarn Taran, which is at a distance of 53 kilometers only.

In view thereof, no ground is made out to entertain this petition.

Dismissed.

(Tribhuvan Dahiya)
Judge

February 17, 2023
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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No