



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

Sr. No.108

**TA-338-2024 (O&M)
Date of Decision: 14.02.2025**

EKTA

....Applicant

Versus

PRETTY SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Naveen Sharma (Moudgil), Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 05.02.2025.

ARCHANA PURI, J. (Oral)

CM-3091-CII-2025

The present application has been filed for placing on record the copies of the petition under Section 125 Cr.P.C. and FIR No.37 dated 06.04.2024, as Annexures A-4 and A-5, respectively.

In view of the averments made in the application, same is allowed and the requisite document are taken on record.

Main case

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. HMA/503/2023, titled '*Pretty Singh Vs. Ekta*', filed by the respondent-husband, pending in the Family Court, SAS Nagar and she seeks transfer of the same to the Court of competent jurisdiction at Fatehgarh Sahib.



TA-338-2024 (O&M)

In pursuance of the notice issued, respondent did not make appearance and as such, was proceeded against *ex parte*.

Learned counsel for the applicant heard.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 08.07.2020, but no child was born from the said wedlock. However, on account of the matrimonial discord, the parties are residing separate. The applicant is unemployed and as such, has no source of earning. She is totally dependent upon her parental family. The applicant had earlier filed a complaint before S.S.P., Fatehgarh Sahib, for registration of criminal case against the respondent and his family members, copy whereof is Annexure A-2 and on the basis of the said complaint, an FIR bearing No.37 dated 06.04.2024, under Section 498-A IPC, has been registered at Police Station Sirhind, copy whereof is Annexure A-5. Besides the aforesaid, also it is submitted that the applicant has filed the petition under Section 125 Cr.P.C., which is pending in the Courts at Fatehgarh Sahib and the respondent is already making appearance in the same.

In view of the aforesaid submissions and also considering the position of law about preference to be given to the convenience of the wife in the transfer applications relating to the matrimonial dispute, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/503/2023, titled '*Pretty Singh Vs. Ekta*', filed by the respondent-husband, stands transferred from the Family Court, SAS Nagar, to the Court of competent jurisdiction at Fatehgarh Sahib. The requisite record of the aforesaid case be sent by the Family Court, SAS Nagar, to the District and Sessions Judge, Fatehgarh Sahib.



Learned District and Sessions Judge, Fatehgarh Sahib, shall assign the said petition to the Family Court, Fatehgarh Sahib. Even, the parties are directed to appear before the Family Court, Fatehgarh Sahib, within a period of one month from today onwards.

14.02.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No