

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

116

TA-388-2024(O&M)

Date of Decision: May 22, 2025

Parminder Kaur

...Applicant

Versus

Dharampreet Singh

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Dushyant Rana, Advocate
for the applicant.

Mr.Gurvinder Singh Mehra, Advocate
for the respondent.

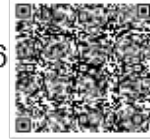
ARCHANA PURI, J.

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act, filed by respondent-husband bearing No.DMC-277-2023, titled 'Dharampreet Singh vs. Parminder Kaur', which is pending in the Family Court, Rajpura, District Patiala and she seeks transfer of the same to the Court of competent jurisdiction at Jagadhri, District Yamunanagar.

Upon notice issued, the respondent has made appearance through counsel and has filed the reply.

Learned counsel for the parties heard.

At the very outset, it is submitted by learned counsel for the



applicant that marriage between the parties to the lis, had taken place on 09.02.2020 and one daughter born from the said wedlock, who is about 2 years, is in the care and custody of the applicant. On account of matrimonial dispute, the parties are residing separate. Also, it is submitted that the applicant is not having source of earning and she is dependent upon her parental family. She has also filed petition under Section 125 Cr.P.C. bearing No.MNT-43-2024, which is pending in the Courts at Yamunanagar and the respondent is making appearance in the same. Besides the same, the respondent is also facing trial in case FIR No.371 dated 02.11.2023 under Sections 323, 406, 498-A and 506 IPC, which is pending in the Courts at Yamunanagar. The distance between two places is about 90 kms.

On the other hand, learned counsel for the respondent, while making reference to the reply, has submitted that the proceedings are of civil nature, wherein, the presence of the applicant is not required on each and every date.

In view of the submissions aforesaid, also it is pertinent to mention that generally, the Courts lean towards the convenience of the wife, while deciding the transfer applications, relating to the matrimonial disputes, more particularly, when the applicant is not having any source of earning and is also taking care of the minor child. Besides the same, in the case in hand, the respondent is already pursuing two litigation, arising from this estranged marriage.

Considering the same and also considering the distance between two places, the transfer application, as such, is hereby allowed and



the petition under Section 9 of the Hindu Marriage Act, filed by respondent-husband bearing No.DMC-277-2023, titled ‘Dharampreet Singh vs. Parminder Kaur’, stands transferred from the Family Court, Rajpura, District Patiala, to the Court of competent jurisdiction at Yamunanagar. The requisite record of the aforesaid case be sent by the Family Court, Rajpura to the District and Sessions Judge, Yamunanagar.

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

May 22, 2025
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No