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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **TR.P.(CRL.) 29/2025, CRL.M.A. 12388/2025 & CRL.M.A. 12389/2025**

KANIKA SAHNI

.....Petitioner

Through: **Mr. Jagjit Singh Sahni, Mr. Gurpreet Kaur Sahni, Mr. Amanpreet Singh, Advocates**

versus

SUNITA THUKRAL

.....Respondent

Through: **Ms. Sakshi Mehley, Ms. Harshita Kumar, Mr. Sajal Manchanda, Mr. Harsh Chaudhary, Advocates**

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
24.04.2025

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1. The present petition under Section 447 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeks transfer of DV Case No. 314/2022 titled as ***Sunita Thukral v. Kanika Sahni*** pending before the Court of Chief Judicial Magistrate, (East), Karkardooma Courts to the Court of Chief Judicial Magistrate, Shahdara.
2. The Petitioner had earlier filed Transfer Petition (Criminal) No. 922/2023 before the Supreme Court which was allowed by order dated 3rd September, 2024, directing as follows:

“Heard Mr. Madhu Mukul Tripathi, learned counsel appearing for the petitioner (wife). Also heard Ms. Sakshi Mehley, learned counsel appearing for the respondent(s).

2. It is seen from the pleadings on record that 3 proceedings at the instance of the petitioner are pending before the Court at Karkardooma.



The child born to the couple on 13.08.2022 is in petitioner's custody and she is residing with her parents in Delhi.

3. Ms. Sakshi Mehley, learned counsel for the respondent submits that instead of the court at Karkardooma (as suggested by the petitioner) the Patiala House Courts would be a safer place for her client(s). On this aspect, we are quite sure that either Courts in Delhi should not give rise to any safety concern for the other side. Whenever there is a need, the Court is also well equipped to conduct proceedings in the virtual mode.

4. Having considered the above and the submission of the learned counsel for the parties, we allow the transfer petitions. The following cases are ordered to be transferred:

(I) The D.V. No. 314 of 2022 titled "Sunita Thukral v. Kanika Sahni", pending before the Court of Ld. Judicial Magistrate – Ist Class, Gurugram, Haryana is directed to be transferred to the Court of competent jurisdiction, Karkardooma Court, Delhi;

(II) The H.M.A. No. 1173 of 2022 titled "Kunal Thukral v. Kanika Sahni" pending before the Court of Ld. Principal Judge (Family court) Gurugram, Haryana is directed to be transferred to the court of competent jurisdiction, Karkardooma Court, Delhi.

5. Records of the case would be immediately transferred to the transferee court.

6. The parties are directed to appear, either in person or through an authorized representative, before the transferee court. However, in case there is non-appearance, court notice would be issued to the defaulting party.

7. The transferee court would decide the matter expeditiously.

8. Pending application(s), if any, shall stand closed.

Transfer Petition (criminal) No. 710 of 2024

In view of today's order in the T.P. (Criminal) No. 922 of 2023 and T.P. (Civil) No. 2542 of 2023, the present Transfer Petition stands dismissed.

Pending application(s), if any, shall stand closed."

3. In compliance with the said order, the DV Case No. 314/2022 which was pending before the Court of Judicial Magistrate, First Class, Gurugram, Haryana was transferred to the Court of Chief Judicial Magistrate, East District, Karkardooma Courts, Delhi. The Karkardooma Court Complex houses three districts: East, North-East and Shahdara District. In such circumstances, the Petitioner has filed the instant petition for transfer of the case from East District, Karkardooma Courts to Shahdara District,



Karkardooma Courts. The basis for making such a request is that the DV Act case filed by the Respondent, the Petitioner's address is disclosed as r/o 165, Jagriti Enclave, Shakarpur Barmad, East Delhi, which falls within the jurisdiction of the Shahdara District.

4. Heard.

5. In the opinion of the Court, the request made by the Petitioner is genuine and in consonance with the directions issued by the Supreme Court. The Court of competent jurisdiction ought to have been identified having regard to the address of the Petitioner, in absence of any other criteria which could be applied.

6. In view of the above, the petition is allowed and DV Case No. 314/2022 titled *Sunita Thukral v. Kanika Sahni* shall be transferred from the Court of Chief Judicial Magistrate, East District, Karkardooma Courts to the Court of Chief Judicial Magistrate, Shahdara District, Karkardooma Courts.

7. With the above directions, the present petition is disposed of along with pending applications.

8. Copy of the order be sent to the concerned Principal District and Sessions Judge, for necessary information and compliance.

SANJEEV NARULA, J

APRIL 24, 2025/ab