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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ TR.P.(CRL.) 113/2024 & CRL.M.A. 36710/2024, CRL.M.A.
36711/2024
KAMLESH

.....Petitioner

Through: Mr. Manoj Kr. Sharma, Advocate.

versus

PRIYANKA VERMA AND OTHERS

.....Respondents

Through: W/SI Neelu, PS: Dwarka North.

Mr. Rana S. Biswas and Mr. Kartik
Chettiar, Advocates for R-3.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

23.07.2025

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1. The present petition under Section 447 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (earlier Section 407 of the Code of Criminal Procedure, 1973²) seeks transfer of the petition *vide* M.C. No. 165/2023 titled as ***“Priyanka Verma vs. Ankur Verma & Ors.”*** under Section 12 of the Protection of Women from Domestic Violence Act, 2005 which is pending consideration before the Court of JMFC Mahila Court-03, South West, Dwarka Courts to Mahila Court, Shahdara, Karkardooma Courts, Delhi.

2. Counsel for the Petitioner submits that the transfer is sought because the Petitioner is an aged person with spinal deformities and other health related issues, and therefore it is difficult for her to undertake travel to the Court. It is further submitted that Respondent No. 1 is a highly educated

¹ “BNSS”

² “Cr.P.C”



woman and has been regularly appearing for multiple cases in Karkardooma Courts, and therefore, she would not have a problem if the present case is also transferred from Dwarka to Karkardooma Courts. It is also urged that the Petitioner's husband is an illiterate person who is unemployed and is also suffering from various age-related ailments.

3. The Court has considered the submissions of the Petitioner. At the outset, it is noted that the Petitioner is only 58 years of age and therefore, cannot in any stretch of imagination, be considered to be of advanced or elderly age. The routine spinal issues and other related ailments which are often induced by modern lifestyle, impact a substantial portion of the population today. Petitioner's case is not exceptional. Consequently, such health concerns, while not trivial, do not constitute sufficient grounds for seeking a transfer of the case. Additionally, the Petitioner has contended that Respondent No. 1 should be able to commute from Dwarka to Karkardooma for court proceedings without undue hardship. However, the Court finds this argument unconvincing, as the same logic is equally applicable to the Petitioner, and therefore, does not merit transfer of the subject petition.

4. In view of the foregoing facts and circumstances, the Court is of the opinion that the present petition is devoid of merit. None of the grounds urged by the Petitioner warrant transfer of the case from Dwarka Courts to Karkardooma Courts.

5. Dismissed, along with pending application.

SANJEEV NARULA, J

JULY 23, 2025

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