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

+ **TR.P.(CRL.) 107/2025 & CRL.M.A. 38570/2025**

GURJEET SINGH CHAHAL

.....Petitioner

Through: Mr. Varun Garg, Mr. Nishpreha
Mittal, Advocates.

versus

MAJINDER KAUR

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

23.12.2025

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1. This petition under Section 447 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ seeks transfer of Maintenance Petition No. 271/2024 titled ***Manjinder Kaur v. Gurjeet Singh*** Chahal, instituted under Section 125 of the Code of Criminal Procedure, 1973², which is pending before the Principal Judge, Family Court, Central District (North), Tis Hazari Courts, Delhi, to the Family Court-01 (South), Saket Courts, New Delhi, where HMA No. 1284/2022 titled ***Gurjeet Singh Chahal vs. Manjinder Kaur*** has been pending since 2022.

2. The Petitioner essentially contends that two separate proceedings arising out of the same matrimonial dispute are pending before different courts and, therefore, it would be appropriate that both proceedings be tried

¹ "BNSS"

² "CrPC"



within the same jurisdiction.

3. This Court is unable to accept the aforesaid contention. The mere fact that both proceedings arise out of the same matrimonial relationship is insufficient to warrant transfer. The petition under Section 125 CrPC is pending before the Principal Judge, Family Court, Central District, Tis Hazari Courts, exercising independent territorial and statutory jurisdiction under CrPC. HMA No. 1284/2022, on the other hand, is a matrimonial proceeding under the Hindu Marriage Act, 1955 pending before the Family Court at Saket, which exercises jurisdiction over a distinct cause under a different statute. The two proceedings are independent and maintainable before their respective courts. In the absence of any jurisdictional conflict or exceptional circumstance, no case is made out for exercise of power under Section 447 BNSS.

4. In view of the above, this Court finds no basis to examine the grounds urged in the present petition.

5. Accordingly, the present petition is disposed of along with pending application(s).

SANJEEV NARULA, J

DECEMBER 23, 2025/ab