



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

Sr. No.113

TA-945-2025

Date of Decision: 19.03.2026

SUKHPREET KAUR

....Applicant

Versus

JAGSIR SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Ms. Amandeep Kaur, Advocate
for the applicant.

Mr. Janak Singh Bhinder, Advocate
for the respondent
(through video conferencing).

ARCHANA PURI, J. (Oral)

Report has been received from the Mediation Centre.

Counsel for the parties submits that the effort for amicable
settlement could not fructify.

Reply has already been filed.

Counsel for the parties heard.

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/115/2023, titled '*Jagsir Singh Vs. Sukhpreet Kaur*', filed by the
respondent-husband, pending in the Family Court (Camp Court) Sunam,



District Sangrur and she seeks transfer of the same to the Court of competent jurisdiction at Barnala.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 09.11.2017, but no child was born from the said wedlock. However, on account of the matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning and is dependent upon her parental family. She has filed the petition under Section 13 of the Hindu Marriage Act, as well as the petition under Section 125 Cr.P.C., which are pending in the Courts at Barnala and the respondent, despite service, did not make appearance and as such, has been proceeded against *ex parte* in both the said cases. The distance between the two places is stated to be 45 kms.

On the other hand, counsel for the respondent, while making reference to the reply, submits that if the transfer application is accepted, inconvenience shall be caused to the respondent also. In fact, the respondent is interested for amicable settlement. Moreover, it is submitted that the applicant is running a boutique, at her parental house and as such, is earning Rs.20,000/- per month, from the said source. Therefore, it is submitted that she can very conveniently pursue the litigation, even if it remains pending at Sunam.

In view of the submissions aforesaid, it is pertinent to mention that though, the assertion has been made by the counsel for the respondent, with regard to the applicant, running a boutique, but there is no material brought on record, to substantiate this assertion. As such, it is a quite vague assertion. Also, it is required to be taken into consideration that two other



petitions, arising from this estranged marriage, are already pending in the Courts at Barnala and the respondent, despite having been served, did not make appearance in both the cases and as such, he has been proceeded against *ex parte*.

Even though, the distance between the two places is only 45 kms, but however, considering the circumstances, as spelt out aforesaid, it is just and expedient to accept the application. Hence, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/115/2023, titled '*Jagsir Singh Vs. Sukhpreet Kaur*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Sunam, District Sangrur to the Court of competent jurisdiction at Barnala. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Sunam, to the District and Sessions Judge, Barnala.

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

19.03.2026

Himanshu Vats

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No