



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

**Sr. No.116**

**TA-1099-2025 (O&M)  
Date of Decision: 12.02.2026**

**ANCHAL**

**....Applicant**

**Versus**

**VISHWAJIT SINGH**

**.....Respondent**

**CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Shivender, Advocate for  
Mr. B.S. Bhalla, Advocate  
for the applicant.

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

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**ARCHANA PURI, J. (Oral)**

The applicant-wife has filed the present application for seeking transfer of the petition under Section 12 of the Hindu Marriage Act i.e. HMA/161/2025, titled '*Vishwajit Singh Vs. Anchal*', filed by the respondent-husband, pending in the Family Court (Camp Court) Kharar, District SAS Nagar and she seeks transfer of the same to the Court of competent jurisdiction at Moga.

In pursuance of notice issued, the respondent made appearance through counsel and filed reply.

Counsel for the parties heard.



It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 06.12.2024, 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. Even, FIR bearing No.150 dated 07.08.2025, under Section 85 of the Bharatiya Nyaya Sanhita, was got lodged by the father of the applicant, against the respondent, at Police Station Kot Ise Khan, District Moga, wherein challan has been presented and the same is pending in the Courts at Moga. The respondent is facing trial in the same. The distance between the two places is stated to be about 150 kms.

On the other hand, counsel for the respondent submits that keeping in view the well-connected means of transportation in the State of Punjab, it should not be inconvenient for the applicant, to pursue the litigation, even if it remains pending in the Courts at Kharar. Moreover, it is submitted that the respondent is not having much earnings.

In view of the submissions aforesaid, it is pertinent to mention that, while considering the transfer application relating to the matrimonial dispute, the Courts generally lean towards convenience of the wife. However, it is not a thumb rule. Various other circumstances, spelt out from the material brought on record, ought to be taken into consideration. In the case in hand, the respondent has laid much emphasis on good road connectivity. May it be so. Other circumstances also ought to be considered. In the case in hand, the applicant is not having any source of earning. Besides the same, one criminal case, arising from this estranged



marriage, is already pending in the Courts at Moga and the respondent is facing trial in the same, in the Courts at Moga.

In view of the aforesaid fact situation and also considering the distance between the two places, the transfer application is allowed and the petition under Section 12 of the Hindu Marriage Act i.e. HMA/161/2025, titled ‘*Vishwajit Singh Vs. Anchal*’, filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Kharar, District SAS Nagar, to the Court of competent jurisdiction at Moga. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Kharar, to the District and Sessions Judge, Moga.

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

Pending civil miscellaneous application also stands disposed of.

12.02.2026  
Himanshu Vats

(ARCHANA PURI)  
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No