



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

114

TA-1161-2025 (O&M)

Date of Decision: March 23, 2026

Sheetal Rani

...Applicant

Versus

Suraj Singh

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Naveen Kundu, Advocate
for the applicant (through video conferencing).

Mr.Rahul Noorie, Advocate for
Mr.Abhimanyu Singh, Advocate
for respondent.

ARCHANA PURI, J.

Applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act, filed by respondent-husband, bearing No.DMC-591-2024, titled 'Suraj Singh vs. Sheetal Rani', pending in the Family Court, Bhiwani and she seeks transfer of the same to the Court of competent jurisdiction at Panipat.

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

Learned counsel for the parties heard.



At the very outset, it is submitted by learned counsel for the applicant that marriage between the parties to the lis, had taken place on 24.02.2023, but no child was born from the said wedlock. Unfortunately, on account of matrimonial dispute, the parties are residing separate. There are four other litigation, arising from this estranged marriage i.e. petition under Section 125 Cr.P.C., petition under Section 9 of the Hindu Marriage Act as well as petition under Section 12 of the Protection of Women from Domestic Violence Act, which are pending in the Courts at Panipat and the respondent is making appearance in all the aforesaid cases. Besides the aforesaid, counsel for the applicant also submitted that the respondent is facing trial in case FIR No.378 dated 30.11.2024 under Sections 323, 406, 498-A and 506 IPC, Police Station Model Town, Panipat, which is also pending in the Courts at Panipat.

On query, it is further submitted that applicant is not having any source of earning and is dependent upon her parents. The distance between the two places is stated to be 200 kms.

On the other hand, learned counsel for the respondent, while making reference to the reply submits that applicant has not come to the Court with clean hands. In fact, she was proceeded against ex-parte before the Family Court and this fact, as such, has not been disclosed by the applicant in the application. Furthermore, it shall be inconvenient for the respondent also, if the transfer application is accepted and the divorce petition is transferred to Panipat.

In response to the aforesaid, counsel for the applicant submits that the applicant has filed an application for setting aside of the ex-parte



proceedings conducted by the Family Court and the same is still pending.

From the submission made by counsel for the applicant, it is evident that the applicant is in know of the proceedings before the Family Court. Suffice to consider the application filed for setting aside of the ex-parte proceedings. This, as such, cannot be said to be a concealment having bearing on the decision of the transfer application.

Considering the same and also taking into consideration about the applicant to be not having any source of earning and four other cases, arising from the estranged marriage, to be already pending in the Courts at Panipat, more particularly, the criminal case, wherein the respondent is required to make appearance, on each and every date of hearing and also considering the distance between the two places, where the divorce petition is pending and where it is sought to be transferred, the transfer application, as such, is hereby allowed and the petition under Section 13 of the Hindu Marriage Act, filed by respondent-husband, bearing No.DMC-591-2024, titled 'Suraj Singh vs. Sheetal Rani', stands transferred from the Family Court, Bhiwani, to the Court of competent jurisdiction at Panipat. The requisite record of the aforesaid case be sent by the Family Court, Bhiwani, to the District and Sessions Judge, Panipat.

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

Taking into consideration the distance between the two places and also watching the inconvenience of the respondent, the Court



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concerned, where the cases are pending, may make an endeavour to adjourn the cases preferably for one and the same date (is possible).

March 23, 2026
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No