

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

I.A.No.3 IN TRANSFER PETITION (CIVIL.) NO(s). 135 OF 2007

SONA SUBHASH TALERA Petitioner(s)

VERSUS

SUBHASH CHANDULAJI TALERA & ANR. Respondent(s)

(With appln(s) for directions and office report)

Date: 03/12/2012 This I.A.was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Petitioner(s) Mr.Sushil Kr.Jain, Adv.

For Respondent(s)/ Mr.Pallav Shishodia, Sr.Adv.
Applicant Mr. Aniruddha P. Mayee, Adv.
Mr.K.Subba Rao, Adv.UPON hearing counsel the Court made the following
O R D E R

This is an application by respondent No.1 in Transfer Petition (C) No.135 of 2007 for initiation of proceedings against the non-applicant (petitioner in the transfer petition) under Section 340 read with Section 195 CrI.P.C.

The applicant has averred that by giving wrong address of Indore in the transfer petition, the non-applicant has committed forgery and, thereby, made herself liable to be prosecuted.

We have heard Shri Pallav Shishodia, learned senior counsel for the applicant and Shri Sushil Kr.Jain, learned counsel for the non-applicant and perused the record of the application as also the transfer petition.

In the divorce petition filed by him before the Family Court at Pune, the applicant had given the following address on the non-applicant:

"Permanent Residence at : Motisagar,
5, New Boat Club Road,
Pune 411001
Currently residing at Madharam,
17/5, South Tukoganj,
(Behind Indra Bhavan)
Indore
Madhya Pradesh."

While disposing of the transfer petition vide order dated 06.07.2009, the Court had taken into consideration the address of the non-applicant given by the applicant. Therefore, it cannot be said that the non-applicant had mislead the Court for the purpose of securing transfer of the case filed by the applicant in the Family Court at Pune.

With the above observation, the application is dismissed.

(Praveen Kr.Chawla)
Court Master

(Phoolan Wati Arora)
Court Master