

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CRIMINAL) NO.315/2024

SWATI CHADHA

PETITIONER(S)

VERSUS

DEEPAK CHADHA & ORS.

RESPONDENT(S)

WITH

TRANSFER PETITION (CIVIL) NO. 1361/2024

O R D E R

T.P.(CrI.) NO.315/2024

1. This petition is filed seeking transfer of Petition No.MC/829/2021, titled as "Swati Chadha Vs. Deepak Chadha" pending before the Court of Ld. Metropolitan Magistrate (Mahila Court) Tis Hazari Courts, New Delhi to the Court of Ld. Metropolitan Magistrate (Mahila Court), Dehradun, Uttrakhand.
2. Heard learned counsel appearing for the parties.
3. On considering the facts and circumstances on the basis of which the petitioner seeks transfer of the subject-case, we are satisfied that it would be expedient for the ends of justice to transfer the subject-case to the Court asked for by the petitioner.
4. We order accordingly.

5. Let the records of the said proceeding shall be sent to the transferee Court expeditiously and the Court of Ld. Metropolitan Magistrate (Mahila Court), Dehradun, Uttarakhand, to which the case is transferred shall proceed in the matter from the stage at which the matter is transferred to it.

6. The Transfer Petition stands allowed accordingly. However, the Respondent-husband is permitted to attend the proceedings virtually, except on occasions where his physical presence is inevitable and required by the Trial Court.

7. Pending application(s), if any, shall stand disposed of.

T.P.(Civil)No.1361 of 2024

1. It is submitted by the learned counsel appearing on both sides that subsequent to filing of the transfer petition, in the petition filed under Section 9 of the Hindu Marriage Act, 1955, which is sought to be transferred, a petition seeking permission to withdraw the same has been filed by the respondent herein.

2. In view of the aforesaid circumstances, there is no circumstance to order transfer of the said case. The Transfer Petition stands dismissed as having become unnecessary. However, we make it clear that in the event of rejection of that application for withdrawal, the petitioner herein would be at liberty to seek revival and restoration of the captioned transfer petition.

3. Pending application(s), if any, shall stand disposed of.

....., J.
(C.T. RAVIKUMAR)

....., J.
(SANJAY KAROL)

NEW DELHI;
SEPTEMBER 12, 2024.

