

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGSTRANSFER PETITION (CRIMINAL) Diary No(s). 10282/2024

SATYAM SINGH

Petitioner(s)

VERSUS

PRIYANKA KHARE

Respondent(s)

(FOR ADMISSION and IA No.133210/2024-STAY APPLICATION and IA No.133212/2024-CONDONATION OF DELAY IN REFILEING/CURING THE DEFECTS)

Date : 25-06-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA  
HON'BLE MR. JUSTICE UJJAL BHUYAN  
(VACATION BENCH)For Petitioner(s) Mr. Gaurav Prakash Pathak, Adv.  
Mr. Nishant Kumar, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Delay in refiling is condoned.

The petitioner is the husband who has sought the  
following reliefs:

“(a) Transfer the Crl. Case No.137 of 2023 titled Priyanka Khare versus Satyam Singh, pending before the Court of Principal Judge Family Court, Dehradun, Uttarakhand to Family Court at Chandigarh and/or,

(b) Pass such other or further order (s) as your Lordship may deem fit and proper in the interest of justice.”

We have heard learned counsel for the petitioner and perused the material on record.

It is noted that the respondent who is wife of the petitioner has filed for maintenance under Section 125 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C."). The petitioner-husband seeks transfer of the said petition to the Family Court at Chandigarh from the Court of Family Court, Dehradun at Uttarakhand.

We do not find any reason to grant the prayers sought for by the petitioner for the simple reason that the wife is seeking maintenance and now has to travel all the way from Dehradun, Uttarakhand to Chandigarh if the prayers sought for by the petitioner are granted.

In the circumstances, this Transfer Petition is dismissed.

However, the petitioner is at liberty to appear before the Court where the petition filed under Section 125 of the Cr.P.C. is pending either in-person or through video conferencing facility.

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

(RADHA SHARMA)  
COURT MASTER (SH)

(MALEKAR NAGARAJ)  
COURT MASTER (NSH)