



CRM-M-4562-2024(O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

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CRM-M-4562-2024(O&M)  
Decided on : 15.05.2025

SUKHWINDER KUMAR

. . . Petitioner(s)

Versus

NEELAM RANI

. . . Respondent(s)

**CORAM: HON'BLE MS. JUSTICE KIRTI SINGH**

PRESENT: Mr. Sunny K.Singla, Advocate  
for the petitioner.

Ms. Sharmila Sharma, Advocate for respondent  
(*legal aid counsel*).

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**KIRTI SINGH, J. (Oral)**

The present petition under Section 407 Cr.P.C. read with Section 482 Cr.P.C. has been filed for transfer of the petition bearing No.MNT/125/218/2021 dated 25.05.2021 titled as '*Neelam Rani Vs. Sukhwinder Kumar*' pending before the Court of learned Additional Principle Judge, Family Court, Malerkotla to a Court of competent jurisdiction at Nabha, District Patiala.

2. Learned counsel for the petitioner submits that respondent, who is the mother of the petitioner, had filed an application under Section 125 Cr.P.C. seeking maintenance from the petitioner. It is submitted that it is very difficult for the petitioner, who underwent a kidney transplant surgery in 2020, to travel to Malerkotla where the application for maintenance is pending, being a resident of district Nabha. Further, the respondent has also filed another application under the



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Welfare and Maintenance Parents and Senior Citizen Act before the SDM, Nabha for seeking maintenance from the petitioner. Thus, no prejudice would be caused to the respondent in case the maintenance petition pending before pending before the Court of learned Additional Principle Judge, Family Court, Malerkotla is transferred to a Court of competent jurisdiction at Nabha, District Patiala, the distance between the two districts being near about 30 Kms.

3. Learned counsel for the respondent has opposed the submissions advanced on behalf of the petitioner; however, does not dispute the pendency of another case initiated by the respondent in Nabha.

4. Heard.

5. In view of the submission qua medical grounds as advanced, and considering the fact that the another application has been filed by the respondent at Nabha, this Court is of the view that no prejudice would be caused in case petition No.MNT/125/218/2021, titled '*Neelam Rani vs. Sukhwinder Kumar*', dated 25.05.2021, currently pending before the learned Additional Principal Judge, Family Court, Malerkotla, is transferred to a Court of competent jurisdiction at Nabha, District Patiala.

6. Accordingly, the present petition is disposed of with the following directions:

a) Petition bearing No.MNT/125/218/2021 dated 25.05.2021 titled as '*Neelam Rani Vs. Sukhwinder Kumar*' pending before the Court of learned Additional Principle Judge, Family Court, Malerkotla is transferred to a court of competent jurisdiction at Nabha, District Patiala.



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b) The learned District & Sessions Judge, Malerkotla is directed to transfer complete record pertaining to the aforesaid case to District Judge, Patiala.

c) The parties, through their counsel, are directed to appear before the District & Sessions Judge, Patiala within a period of one month.

d) The District & Sessions Judge, Patiala will assign the said petition to the Court of competent jurisdiction at Nabha.

7. The present petition stands disposed of in the above terms.

Pending application(s), if any, also stands disposed of accordingly.

**(KIRTI SINGH)**  
**JUDGE**

**15.05.2025**

Kavita

*Whether speaking/reasoned:* Yes/No

*Whether Reportable:* Yes/No