

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**Sr. No.230+107**

**TA-990-2024 (O&M)  
Date of Decision: 23.07.2025**

**MANJOT KAUR**

**....Applicant**

**Versus**

**LOVJEET SINGH**

**.....Respondent**

**CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. P.S. Miglani, Advocate  
for the applicant.

Mr. Sanjeev K. Virk, Advocate  
for the respondent.

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**ARCHANA PURI, J. (Oral)**

**CM-14045-CII-2025**

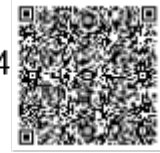
The present application has been filed for placing on record the copy of the petition under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023, as Annexure P-2.

In view of the averments made in the application, same is allowed and the requisite document is taken on record.

**Main case**

The applicant-wife has filed the present application for seeking transfer of the petition under Section 12 of the Hindu Marriage Act i.e. HMA/91/2024, titled '*Lovjeet Singh Vs. Manjot Kaur Grewal*', filed by the respondent-husband, pending in the Family Court (Camp Court) Phagwara, District Kapurthala and she seeks transfer of the same to the Court of competent jurisdiction at Ludhiana.

Upon notice issued, the respondent made appearance through

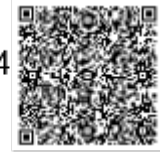


counsel and filed reply.

The counsel for the parties heard.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 15.05.2023. However, the applicant stayed in the matrimonial house only for 25 days and the respondent had thrown her out of the matrimonial house, due to non-fulfilment of the demand of dowry. Since then, she is residing at her parental place. She is not having any source of earning and is totally dependent upon her parental family. Also, it is submitted that the applicant had filed a complaint, vide UID No.251485 dated 21.06.2023, before Senior Superintendent of Police, Ludhiana (Rural). However, the said complaint has since been closed, as the matter is pending in the Courts. Also, it is submitted that the applicant had filed the petition under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023, which is pending in the Courts at Ludhiana. In the given circumstances, it is submitted that it is difficult for the applicant, to commute a distance of about 80 kilometres, to defend the petition under Section 12 of the Hindu Marriage Act.

On the other hand, the counsel for the respondent, while making reference to the reply filed in the form of affidavit of the respondent, submits that the complaint filed at the instance of the applicant, was only a counter-blast to the complaint, earlier filed by the father of the respondent before Superintendent of Police, Phagwara, which was bearing No.704 LPC dated 04.08.2023. Besides the same, another complaint was filed by the respondent before Senior Superintendent of Police, Ludhiana (Rural), bearing No.3240 dated 23.10.2023. Even, COMI/22/2024 is pending in the Court of SDJM, Phagwara. In fact, it is submitted that it was on account of

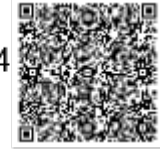


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conduct of the applicant that the complaint filed at their instance was closed by the police authorities vide Annexure R-4. Furthermore, it is submitted that the applicant is having some mental disorder, which fact was not disclosed to the respondent, at the time of marriage. Also, it is submitted that since it is a civil matter, the applicant is not required to make appearance on all dates fixed in the petition under Section 12 of the Hindu Marriage Act. Therefore, a prayer is made for dismissal of the transfer application.

In view of the aforesaid, it is pertinent to mention that while dealing with the transfer application relating to the matrimonial dispute, the Courts generally lean towards the convenience of wife. Though, it may not be a thumb rule, but however, various circumstances spelt out from the material brought on record, are also required to be taken into consideration. Though, it is submitted by the counsel for the respondent that the complaint filed by the applicant, has since been closed by the police authorities, but however, the only fact with regard to the complaint earlier filed being closed, is no ground for denial of the transfer application. Copy of the order, Annexure R-4 passed by Deputy Superintendent of Police, Ludhiana, reveals about the complaint filed by the applicant, against the respondent and his family, was not dealt by the police officials, solely on account of the matter already pending before the Courts. In these circumstances, no benefit can be drawn by the respondent on account of closing of the said complaint.

Besides the aforesaid, it is pertinent to mention that during the course of submissions, the counsel for the respondent himself stated that the applicant herself is suffering from mental disorder and if this submission is considered, then it is all the more important to look into the convenience of



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the applicant.

In view of the aforesaid fact situation, more particularly, considering the fact about one case arising from the matrimonial dispute, already pending in the Courts at Ludhiana, the transfer application is allowed and the petition under Section 12 of the Hindu Marriage Act i.e. HMA/91/2024, titled '*Lovjeet Singh Vs. Manjot Kaur Grewal*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Phagwara, District Kapurthala, to the Court of competent jurisdiction at Ludhiana. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Phagwara, to the District and Sessions Judge, Ludhiana.

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

**23.07.2025**

Himanshu

**(ARCHANA PURI)  
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No