

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

Sr. No.106

TA-341-2024

Date of Decision: 09.07.2025

SIMRAN

....Applicant

Versus

AMANDEEP SINGH

.....Respondent

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

Present:- Mr. K.S. Lakhanpal, Advocate  
for the applicant.

Mr. Naresh Chander, Advocate  
for the respondent.

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

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. HMA/46/2024, titled '*Amandeep Singh Vs. Simran*', filed by the respondent-husband, pending in the Family Court, Ambala and she seeks transfer of the same to the Court of competent jurisdiction at Moga.

Upon notice, 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, was performed seven years ago. Two daughters were born from the said wedlock, who are in the care and custody of the applicant. On account of the matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning and she along with her daughters, is dependent upon her



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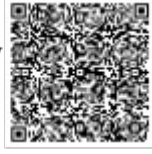
widow mother. Even, she has filed the petition under Section 125 Cr.P.C. i.e. MNT-125/06/2024, which is pending in the Courts at Moga. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 187 kilometres, to defend the petition under Section 9 of the Hindu Marriage Act.

On the other hand, the counsel for the respondent, while making reference to the reply, submits that earlier the respondent had made an attempt for settling the matrimonial dispute and he had gone to Moga. However, the applicant's family had attacked the respondent, as well as his family members, as a result whereof, he has threat to his life. Even, he had filed the criminal writ petition i.e. CRWP-134-2024 before this Court and the same was decided in his favour.

In view of the rival submissions aforesaid, it is pertinent to mention that even though, there is mention made of the criminal writ petition, to have been filed by the respondent, but however, the same has not been annexed with the reply. Even, copy of the order passed by this Court on the said petition, has not been annexed with the reply.

On query by the Court, it is submitted by the counsel for the respondent that the aforesaid criminal writ petition was disposed of and a direction was given to the S.S.P. to look into the grievance of the respondent and thereupon, the statements were recorded and no further action was taken.

Considering the fact of filing of the aforesaid criminal writ petition and the manner of disposal of the same, it is pertinent to mention that various circumstances coming forth from the material brought on record, have to be taken into consideration. This is one aspect of filing of



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criminal writ petition, copy whereof has though not been brought on record. In the given circumstances, there is nothing evident, as to what kind of threat was given and admittedly, no further action has been taken. Besides the same, it is pertinent to mention that there are two daughters born from the said wedlock, who are in the care and custody of the applicant. Even, the applicant is not having any source of earning and is dependent upon her widow mother.

In view of the aforesaid fact situation and also considering the distance between the two places to be about 187 kilometres, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/46/2024, titled '*Amandeep Singh Vs. Simran*', filed by the respondent-husband, stands transferred from the Family Court, Ambala, to the Court of competent jurisdiction at Moga. The requisite record of the aforesaid case be sent by the Family Court, Ambala, to the District and Sessions Judge, Moga.

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

**09.07.2025**

Himanshu

**(ARCHANA PURI)  
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No