



TA-1089-2024 (O&M)

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

Sr. No.237

**TA-1089-2024 (O&M)
Date of Decision: 17.09.2025**

RUPINDER KAUR

....Applicant

Versus

HARSIMRANJIT SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Harmeet Oberoi, Advocate
for the applicant.
(Through video conferencing).

ARCHANA PURI, J. (Oral)

As per office noting, ordinary notice not received back and the *dasti* notice received back with the report of trial court counsel that “*the respondent has settled Abroad and he does not have his contact number now*”.

In view of the report aforesaid, legal aid counsel for the applicant has brought to the notice of the court that the respondent has already been declared proclaimed offender, vide order dated 23.02.2024, passed by Judicial Magistrate. In this regard, counsel has also drawn the attention of the court to paragraph No.7 of the application, wherein the



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aforesaid fact has been mentioned, copy whereof is Annexure P-2. Even, on the earlier occasion, notice was received back with the report about the respondent to be residing abroad. In view of the report made on the *dasti* summons, suffice to consider that the service of the respondent to be completed, more particularly, considering the status of proclaimed offender of the respondent in the matrimonial proceedings.

In the given circumstances, it is appropriate to dispose of the transfer application, even in the absence of the respondent.

Counsel for the applicant 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 05.10.2014 and one daughter born from the said wedlock, who is about 10 years old, is in the care and custody of the applicant. On account of the matrimonial dispute, the parties are residing separate. She has got lodged FIR No.69 dated 16.07.2016 under Sections 406, 498-A IPC at Women Police Station, District Patiala and therein the respondent had already been declared proclaimed offender by the Judicial Magistrate. Also, it is submitted that the applicant is not having any source of earning and she has filed petition under Section 125 Cr.P.C., which is pending for *ex parte* evidence. The daughter born from the wedlock of the parties, is also stated to be studying at DAV Model High School at Devigarh, District Patiala.

In view of the aforesaid mitigating circumstances, more particularly, when the respondent evaded the process of law in the matrimonial litigation, initiated at the instance of the applicant and also the fact of the daughter to be in the care and custody of the applicant, who herself is not having any source of earning, the transfer application is



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allowed and the petition i.e. HMA-217-2017 titled “*Harsimranjit Singh v/s Rupinder Kaur*”, stands transferred from the Family Court, Tarn Taran to the Court of competent jurisdiction at Patiala. The requisite record of the aforesaid case be sent by the Family Court, Tarn Taran, to the District and Sessions Judge, Patiala.

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

17.09.2025

Sonu Saini

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No