



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

**Sr. No.116**

**TA-925-2024 (O&M)  
Date of Decision: 21.03.2025**

**MANJU**

**....Applicant**

**Versus**

**KELA DEVI**

**.....Respondent**

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

Present:- Mr. Lalit Kumar Narang, Advocate  
for the applicant.

Col. Shamsheer Singh, Advocate  
for the respondent.

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

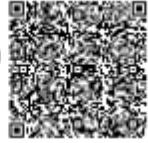
**CM-5640-CII-2025**

The present application has been filed for placing on record the interim orders passed by learned Family Court in the petition filed under the Protection of Women from Domestic Violence Act and the orders passed by the Trial Court in case bearing FIR No.11 dated 06.01.2021.

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

**Main case**

The applicant-Manju has filed the present application for seeking transfer of the petition under Section 12 of the Protection of Women from Domestic Violence Act i.e. COMA/24/2022, titled '*Kela Devi Vs. Manju*', filed by the respondent (mother-in-law of the applicant), pending in the Court of Civil Judge (Junior Division)-cum-Judicial Magistrate Ist Class, Kharkhoda, District Sonapat and she seeks transfer of the same to the Court



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of competent jurisdiction at Meham, District Rohtak.

Upon notice issued, the respondent made appearance through counsel and filed reply.

Learned counsel for the parties heard.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the applicant and the son of the respondent, namely Pardeep, had taken place on 19.02.2017. One son born from the said wedlock, who is presently about 6 years old, is in the care and custody of the applicant. However, on account of the matrimonial discord, the applicant, as well as her husband, Pardeep, are residing separate. On account of this matrimonial dispute, various rounds of litigations were initiated between the parties. In fact, it is submitted by the counsel that the petition under Section 125 Cr.P.C., filed against the husband is pending in the Courts at Meham. Even, the applicant had filed the petition under Section 12 of the Protection of Women from Domestic Violence Act, against the husband, as well as brother-in-law. Even Kela Devi-respondent, is also one of the respondents in the said petition. Besides the same, the applicant had also got lodged an FIR bearing No.11 dated 06.01.2021, under Sections 34, 354-A, 376, 406, 498-A and 506 IPC, at Police Station Meham, District Rohtak, relating to which, trial is pending in the Courts at Rohtak. Even, the respondent is making appearance in the said trial, on each and every date. In this regard, the counsel has made reference to the zimini orders, placed on record as Annexure A-2. Further, it is submitted by the counsel that the son of the respondent had filed the divorce petition against the applicant, which was pending in the Courts at Kharkhoda, relating to which, transfer application i.e. TA-667-2023 was filed and the same was



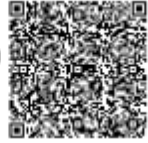
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allowed vide order dated 19.05.2023, copy whereof is Annexure P-5, the case stood transferred to the Courts at Meham.

Further, the counsel for the applicant submits that subsequently, the petition under Section 12 of the Protection of Women from Domestic Violence Act, which is sought to be transferred, was filed by the respondent-Kela Devi, as a counter-blast. Considering the aforesaid circumstances, it is submitted that the said petition, filed by the respondent, be transferred to the Courts at Meham, more particularly, while the minor son is residing with the applicant.

On the contrary, the counsel for the respondent, while making reference to the contents of the reply filed, submits that the respondent is an aged lady. She is being harassed, solely on account of there being matrimonial dispute of the applicant with Pardeep, who is son of the respondent. In fact, it is submitted that the respondent is making appearance in the trial, which is pending at Rohtak. On account of various health issues, she is brought to Rohtak with much difficulty. In fact, it is submitted that the applicant is a young lady and her son is school-going and therefore, it shall not be difficult for her to pursue the petition, which is pending in Kharkhoda, District Sonapat.

In view of the submissions aforesaid, it is pertinent to mention that, as submitted by both the counsel, there are various rounds of litigations pending, with regard to the matrimonial dispute of the applicant with her husband-Pardeep, who is son of the respondent. The respondent together with her sons, Pardeep & Sandeep and her husband, are already facing trial in the Courts at Rohtak. Perusal of the zimini orders (Annexure A-2) reveals that on each and every date, Kela Devi is making appearance and now, the



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case is fixed for prosecution evidence. Considering the fact of the respondent already facing trial in one of the cases at Rohtak, which is at a distance of about 35 kilometres from Meham, it shall not be much difficult for her to pursue the petition under Section 12 of the Protection of Women from Domestic Violence Act, if so transferred to the Courts at Meham.

It has to be taken into consideration that the minor child is living with the applicant. Considering the same and also considering the various other litigation, which the respondent is also pursuing, the application is hereby allowed and the petition under Section 12 of the Protection of Women from Domestic Violence Act i.e. COMA/24/2022, titled '*Kela Devi Vs. Manju*', filed by the respondent, stands transferred from the Family Court (Camp Court) Kharkhoda, District Sonapat, to the Court of competent jurisdiction at Meham, District Rohtak. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Kharkhoda, to the District and Sessions Judge, Rohtak.

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

**21.03.2025**

Himanshu

**(ARCHANA PURI)  
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No