



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

201

Transfer Application No.1267 of 2024 (O & M)

Date of decision :-14.05.2026**Punarbir Kaur****.....Applicant****Versus****Karandeep Singh****.....Respondent****CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- Mr. Sandeep Sharma, Advocate
for the applicant.

Mr. Nitish Garg, Advocate for the respondent.

NIDHI GUPTA J. (Oral)

1. Prayer in this petition filed by applicant-wife is for transfer of the petition bearing No.DMC/461/2024 filed by respondent-husband under Section 12 of the Hindu Marriage Act,1955 (for short 'the Act') titled "Kirandeep Singh vs. Punarbir Kaur alias Puneerveer Kaur" pending in the Court of Principal Judge, Family Court, Patiala to a Court of competent jurisdiction at Jalandhar.

2. Learned counsel for the applicant has contended :-

- i) that the parties were married on 12.3.2024 according to Sikh rites and rituals.
- ii) No child was born out of the said wedlock.
- iii) that the applicant-wife is living separately from the respondent-husband from 28.3.2024 and living with her parents at their mercy at Jalandhar.
- iv) that the applicant is unemployed, having no source of income and totally dependent upon her parents and the



respondent-husband, who is working as Director in Punjabi Film/Music Industry and earning about Rs.1,50,000/- to Rs.2,00,000/- per month, is not paying anything to her towards maintenance.

- v) The proceedings arising out of petitions under Section 125 Cr.P.C. as well as under Section 144 of BNSS filed by the applicant-wife, are pending in the Court having competent jurisdiction at Jalandhar, in which respondent is appearing.
 - v) That the distance between place of residence of the applicant-wife i.e. Jalandhar and the place of proceedings under Section 12 of the Act, filed by the respondent-husband, pending before the Principal Judge, Family Court, Patiala, is about 155 kilometers one side.
 - vi) that there is no proficient male member in the family of the applicant, who can accompany her to visit and attend the Court of proceedings at Patiala because the parents are old aged persons having age related ailments.
3. It is inter alia on these grounds that applicant prays for transfer of the case, as detailed in para 1 above.
4. Upon notice, respondent through counsel had put in appearance and filed his reply dated 08.9.2025 in the Registry alongwith his medical record (Annexure R-1). To controvert the averments made by the applicant in this petition, learned counsel for the respondent has contended that the allegations leveled by the applicant against the respondent-husband are baseless and concocted. Regarding transfer of the petition filed by the respondent-husband, learned counsel has submitted that this marriage survived only for around 16-17 days. No child has born out of the said wedlock and since the parties are living separately since 28.3.2024 there is no responsibility upon the applicant-wife of any kind. Learned counsel for the respondent refers to the



medical record (Annexure R-1) annexed with the reply and submits that the respondent is suffering from depression, sadness, fear, anxiety, social phobia, lack of confidence etc. and he cannot travel alone and always needs the support of her parents for the same. Learned counsel submits that the respondent is continuing under treatment. Learned counsel submits that on the other hand the applicant is not having any responsibility of any kind and enjoying the company of her parents and has filed the present petition for transfer of the petition filed by the respondent under Section 12 of the Act just to harass the respondent physically and mentally. Learned counsel further contends that it is not more than two hours journey to reach the Court of proceedings at Patiala and that too not on daily basis, just on the date fixed in the case. The applicant has not shown her physical or mental inability which will prove that she cannot in a position to travel such a meager distance on the date of hearings.

5. I have heard learned counsel for the parties.

6. In view of the facts as enumerated above, I am of the view that unlike the respondent, the applicant-wife is having no responsibilities as it is the respondent who is suffering from depression etc regarding which his medical record is placed on record as Annexure R-1 in which it is specifically pointed out that the respondent cannot travel alone without help of his parents. In contrast, no extenuating circumstances have been brought to light by the applicant, on the basis of which it is shown that she is not in a position to travel the relatively short distance of about 155 kilometers as admittedly, it is hardly a two-



hour journey between Jalandhar to Patiala, and that too, not daily but only on the date of hearing.

7. This Court is well aware of the preponderance of law in cases of transfer emanating from matrimonial disputes is in favour of the wife. However, in certain similar cases as the present one, the Hon'ble Supreme Court, as well as this Court have refused relief to the wife. One such case which may be referred to is: **(2006) 9 SCC 197 'Anindita Das Vs. Srijit Das'** wherein Hon'ble Supreme Court under similar circumstances dismissed the wife's application seeking transfer of petition filed by the husband. Reference in this regard may also be made to two cases of this Court where, in similar circumstances this Court had dismissed transfer applications filed on behalf of the wife. These are: **TA no. 126 of 2018 Smt. Akhwinder Kaur Vs. Sh. Gurpreet Singh;** and **TA No. 299 of 2019 Nisha alias Manisha vs. Amarveer Yadav.**

8. Accordingly, in view of the facts and circumstances of the present case as noted above, as also the precedents of Case law as above, finding no merit in this petition, the same is hereby **dismissed**.

Pending application(s) if any stand disposed of.

May 14, 2026

Vijay Asija

(NIDHI GUPTA)

JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No