

(2025) 12 P&H CK 0044

Punjab And Haryana HC

Case No: Transfer Application No. 1031 Of 2025

Voila

APPELLANT

Vs

Yogesh Goel

RESPONDENT

Date of Decision: Dec. 5, 2025

Acts Referred:

- Hindu Marriage Act, 1955-Section 13
- Code Of Criminal Procedure, 1973-Section 125
- Protection Of Women From Domestic Violence Act, 2005-Section 12
- Indian Penal Code, 1860-Section 120B, 406, 498A

Hon'ble Judges: Archana Puri, J

Bench: Single Bench

Advocate: Nakul Sharma, Karan Sirohi

Final Decision: Allowed

Judgement

Archana Puri, J

As observed in the order dated 31.10.2025, despite service, respondent did not make appearance, on that date. Even today, he has not made appearance. As such, the respondent is proceeded against ex parte.

Counsel for the applicant heard.

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. HMA/12638/2024, titled 'Yogesh Goel Vs. Voila Kalra', filed by the respondent-husband, pending in the Family Court, Ludhiana and she seeks transfer of the same to the Court of competent jurisdiction at Sri Muktsar Sahib.

It is submitted that the marriage between the parties had taken place on 17.07.2021, but no child was born from the said wedlock. However, on account of matrimonial dispute, the parties are

residing separate. The applicant is having no source of earning and is residing with her parents. On account of matrimonial dispute, the applicant has filed the petition under Section 125 of Cr.P.C. and the petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005, which are pending in the Courts at Sri Muktsar Sahib and the respondent is making appearance in the same. Besides the same, the respondent is facing trial in criminal case, in the Courts at Sri Muktsar Sahib, relating to FIR bearing No.142 dated 24.06.2022, under Sections 498-A, 406, 120-B of IPC, got lodged by the applicant at Police Station City, Sri Muktsar Sahib. The distance between the two places is stated to be about 180 kilometres.

Considering the constrained circumstances faced by the applicant, as stated aforesaid and considering the fact of other three litigations already pending in the Courts at Sri Muktsar Sahib, more specifically, the criminal case, wherein, the respondent is required to make appearance, on each and every date of hearing, as well as considering the distance between the two places and above it, considering the fact of respondent having not come forward to resist the transfer application, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/12638/2024, titled 'Yogesh Goel Vs. Voila Kalra', filed by the respondent-husband, stands transferred from the Family Court, Ludhiana, to the Court of competent jurisdiction at Sri Muktsar Sahib. The requisite record of the aforesaid case be sent by the Family Court, Ludhiana, to the District and Sessions Judge, Sri Muktsar Sahib.

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