

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CRIMINAL) NO. 532/2022

ASTHA SHARMA & ORS.

Petitioner(s)

VERSUS

MADHURI SHARMA & ANR.

Respondent(s)

WITH

T.P.(Cr1.) No. 395/2020

T.P.(C) No. 120/2020

CONMT.PET.(C) No. 72/2022 in T.P.(C) No. 120/2020

T.P.(C) No. 1847/2021

O R D E R

T.P.(Cr1.) No. 532/2022

Having heard counsel for the parties, this Court is of the opinion that no case for transfer has been made out.

However, it is open to the petitioners to seek exemption from personal appearance. In case such an application is made, the Trial Court shall take a reasonable view having regard to the circumstances and grant it on such terms as may be appropriate.

In case it becomes absolutely necessary for the petitioners to present themselves in Bhopal, the Trial Court shall ensure that the dates convenient to them are given.

The transfer petition is disposed of in the above terms.

Pending application(s), if any, are disposed of.

T.P.(Cr1.) No. 395/2020

It is stated by counsel for the parties that the petition has been rendered infructuous.

Accordingly, the transfer petition is dismissed as having become infructuous.

Pending application(s), if any, are disposed of.

T.P.(C) No. 120/2020

It is stated that though this Court had issued notice and stayed the proceedings on 31.1.2020, the Trial Court received the communication quiet late and that in the meanwhile, the substantive petition under Section 9 had been decreed. It is further stated that the petitioner had filed an application for divorce in the Delhi Court.

In this view of the matter, the transfer petition is disposed of leaving all contentions open to the parties.

Pending application(s), if any, are disposed of.

In view of the statement made by the counsel for the parties, this petition is disposed of as having become infructuous.

Pending application(s), if any, are disposed of.

T.P.(C) No. 1847/2021

In view of the statement made by counsel for the respondent, the transfer petition bearing No. RCS HM 0000975/21 titled as " Piyush Sharma Vs. Aastha Sharma" pending before the Principal Judge Family Court, Bhopal is hereby transferred to Family Court (District Shahdra) Karkardooma, Delhi.

Records shall be sent by the Court where proceedings are pending to the transferee Court promptly and without any delay.

The transfer petition is allowed in the aforesaid terms.

Pending application(s), if any, are disposed of.

.....J.
(S. RAVINDRA BHAT)

.....J
(DIPANKAR DATTA)

New Delhi;
February 7th, 2023

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Transfer Petition(s)(Criminal) No(s). 532/2022

ASTHA SHARMA & ORS.

Petitioner(s)

VERSUS

MADHURI SHARMA & ANR.

Respondent(s)

IA No. 121158/2022 - EX-PARTE STAY
IA No. 121159/2022 - EXEMPTION FROM FILING O.T.
IA No. 148826/2022 - STAY APPLICATION)

WITH

T.P.(Cr1.) No. 395/2020 (XVI-A)

(FOR FOR EX-PARTE STAY ON IA 133555/2020 FOR EXEMPTION FROM FILING
O.T. ON IA 133556/2020

IA No. 133555/2020 - EX-PARTE STAY

IA No. 133556/2020 - EXEMPTION FROM FILING O.T.)

T.P.(C) No. 120/2020 (XVI-A)

(FOR ADMISSION and IA No.12130/2020-EX-PARTE STAY and IA
No.12131/2020-EXEMPTION FROM FILING O.T.

IA No. 12130/2020 - EX-PARTE STAY

IA No. 12131/2020 - EXEMPTION FROM FILING O.T.)

CONMT.PET.(C) No. 72/2022 in T.P.(C) No. 120/2020 (XVI-A)
(FOR ADMISSION)

T.P.(C) No. 1847/2021 (XVI-A)

(IA No.133554/2021-EX-PARTE STAY and IA No.133555/2021-EXEMPTION
FROM FILING O.T.(MEDIATION REPORT RECEIVED)

IA No. 133554/2021 - EX-PARTE STAY

IA No. 133555/2021 - EXEMPTION FROM FILING O.T.)

Date : 07-02-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE DIPANKAR DATTA

For Petitioner(s) Mr. Yatendra Sharma, Adv.
Mr. Prashant Kumar, AORFor Respondent(s) Ms. Ila Shikhar Sheel, AOR
Mr. Utkarsh Srivastava, AOR

UPON hearing the counsel the Court made the following
O R D E R

T.P.(Cr1.) No. 532/2022, T.P.(Cr1.) No. 395/2020, T.P.(C)
No. 120/2020, CONMT.PET.(C) No. 72/2022 in T.P.(C) No.
120/2020

The transfer petitions are disposed of in terms of the
signed order.

Pending application(s), if any, are disposed of.

T.P.(C) No. 1847/2021

The transfer petition is allowed in terms of the signed
order.

Pending application(s), if any, are disposed of.

(HARSHITA UPPAL)
SENIOR PERSONAL ASSISTANT

(MATHEW ABRAHAM)
COURT MASTER (NSH)