

**IN THE SUPREME COURT OF INDIA**  
**CIVIL/CRIMINAL ORIGINAL JURISDICTION**  
**Transfer Petition (Civil) No.321/2020**

**HIMANI @ HEMLATA**

**Petitioner(s)**

**VERSUS**

**ADITYA PARIHAR**

**Respondent(s)**

**WITH**

**Transfer Petition (Criminal) No.210/2020**

**Transfer Petition (Criminal) No.533/2021**

**Transfer Petition(Criminal) No(s).339/2023**

**O R D E R**

In these transfer petitions, one of the prayers made by the petitioner-wife is for transfer of a case arising out of FIR No.230 of 2018 registered with Police Station Begampur pending in the Court of Metropolitan Magistrate (Mahila

Court)-02, North West, Rohini Courts, Delhi.

The learned senior Counsel representing the respondent-husband states that four prosecution witnesses have been examined and the aforesaid case is part-heard. In fact, copies of the depositions of two witnesses have been annexed to the counter affidavit. Notwithstanding this fact, the petitioner-wife who is personally present in the Court instructs her advocate to make a statement that no witness has been examined. We find that to the counter affidavit, a copy of the deposition of the petitioner wife is also annexed.

In view of such conduct on the part petitioner-wife, we dismiss both the transfer petitions filed by her.

Now coming to the transfer petitions filed by the respondent-husband, the prayer is for transfer of a complaint made under Section 12 of the Protection of Women from Domestic Violence Act, 2005 filed by the wife and transfer of a petition for maintenance under Section 125 of the the Code of Criminal Procedure, 1973 filed by the petitioner-wife. There is no reason to transfer these petitions at the instance of the husband. Therefore, even the transfer petitions filed by the respondent-husband stand dismissed.

The transfer petitions are dismissed accordingly.

.....J  
(ABHAY S. OKA)

.....J  
(RAJESH BINDAL)

New Delhi  
09.05.2023

ITEM NO.1+45

COURT NO.16

SECTION XVI-A

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)(Civil) No(s). 321/2020

HIMANI @ HEMLATA

Petitioner(s)

VERSUS

ADITYA PARIHAR

Respondent(s)

(IA No. 27532/2020 - EX-PARTE STAY  
IA No. 82708/2020 - EXEMPTION FROM FILING O.T.)

WITH

T.P.(Cr1.) No. 210/2020 (XVI-A)

(IA No. 52432/2020 - EX-PARTE STAY  
IA No. 116593/2020 - EXEMPTION FROM FILING O.T.  
IA No. 52434/2020 - EXEMPTION FROM FILING O.T.)

T.P.(Cr1.) No. 533/2021 (XVI-A)  
(IA No. 157921/2021 - EX-PARTE STAY  
IA No. 157922/2021 - EXEMPTION FROM FILING O.T.)

ITEM NO.45

Transfer Petition(s)(Criminal) No(s). 339/2023

(FOR ADMISSION and IA No.96076/2023-EX-PARTE STAY and IA  
No.96079/2023-EXEMPTION FROM FILING O.T. )

Date : 09-05-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA  
HON'BLE MR. JUSTICE RAJESH BINDAL

For Parties:

Mr. Jayant K.sud, A.S.G.  
Mr. Shreekant Neelappa Terdal, AOR  
Mr. Bharat Sood, Adv.  
Ms. Shruti Agarwal, Adv.  
Mr. Abhishek Singh, Adv.  
Mr. Digvijay Dam, Adv.

Dr. N. Visakamurthy, Adv.

Ms. Meenakshi Arora, Sr. Adv.  
Mr. Akshat Kulshreshtha, Adv.  
Mr. Kartik Dabas, Adv.  
Mr. Chandratanay Chaube, Adv.  
Ms. Arunima Dwivedi, AOR

Ms. Shashi Kiran, AOR  
Mr. Arjun Sain, Adv.  
Mr. Satish Chandra, Adv.  
Ms. Sangeeta Bhalla, Adv.

Mr. Sunil Kumar Sharma, AOR

Mr. Prabodh Kumar, AOR

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

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

Pending applications, if any, also stand disposed of.

(INDU MARWAH)  
COURT MASTER (SH)

(AVGV RAMU)  
COURT MASTER (NSH)

(signed order is placed on the file)