

IN THE SUPREME COURT OF INDIA  
CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CRL) NO.867 OF 2023

SHINGRA & ANR.

Petitioner(s)

VERSUS

N.R.V. CHANDRASHEKHAR

Respondent(s)

WITH

TRANSFER PETITION (C) No. 3065 OF 2023

O R D E R

We have heard learned counsel for the respective parties. The petitioner who is the wife of the respondent has sought the following reliefs in these transfer petitions:

T.P.(Crl) No.867/2023

- a. *Transfer the case Crl. Misc. No.19 of 2019 pending before the Principal Family Judge at Bengaluru titled as "Shingra (represented by Mother and Natural Guardian Anitha Uvaraj) Vs. N.R.V. Chandrashekar" to the Family Court, Virudhunagar District, State of Tamil Nadu, and*
- b. *Pass any other or further orders as may be deemed fit and proper in the circumstances of the case.*

T.P. (C) No.3065/2023

- a. *Transfer the case G & WC No.98 of 2019 titled as "Sri N.R.V. Chandrashekar v. Smt. Anitha Uvaraj & Anr. pending before the Principal Family Judge at Bengaluru, Karnataka State to the Family Court, Virudhunagar District, State of Tamil Nadu, and*
- b. *Pass any other or further orders as may be deemed fit and proper in the circumstances of the case.*

In substance, the T.P.(Crl) No.867/2023, the minor is the petitioner represented by her mother, who has sought transfer of the aforesaid case from Bengaluru to Virudhunagar District in the State of Tamil Nadu.

We have heard learned counsel for the respective parties. It is stated at the Bar that the aforesaid proceedings are at an advance stage inasmuch as the parties have to be cross-examined and thereafter, the arguments have to be heard. Learned counsel for the respondent therefore submitted that at this stage, the transfer of the cases would only delay the conclusion of the proceedings. That, in fact, the petitioner was earlier in Bengaluru and therefore she was prosecuting and

defending the aforesaid cases. She may have subsequently returned to her parental home at Virudhunagar but any transfer of these cases to Virudhunagar, at this stage, would only delay the proceedings and would cause prejudice to both the parties. Therefore, he submitted that the petitioner may appear in person for the purpose of recording of her evidence and thereafter permission may be granted to the petitioner to appear through video conferencing facility.

We find substance in the submission of learned counsel for the respondent.

Therefore, the transfer petitions are disposed of by directing the petitioner herein to appear in person before the Principal Judge, Family Court at Bengaluru for the purpose of recording her evidence and if necessary for cross examination of the respondent-herein, as she deems fit.

It is needless to observe that even while the cross-examination of the respondent herein takes place, liberty is reserved to the petitioner to be present either in person or through video conferencing facility. However, as far as petitioner's cross examination is concerned, it is necessary that she be present in person before the Family Court at Bengaluru.

As far as the stage of arguments of these cases are concerned, liberty is reserved to the petitioner to either be present in person or through video conferencing facility, as it suits her.

With the aforesaid observations and liberties reserved to the petitioner herein, the transfer petitions stand disposed of.

. . . . ., J  
[B.V. NAGARATHNA]

. . . . ., J  
[AUGUSTINE GEORGE MASIH]

NEW DELHI,  
FEBRUARY 01, 2024

ITEM NO.13

COURT NO.11

SECTION II-C

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Transfer Petition (Criminal) No.867/2023

SHINGRA & ANR.

Petitioner(s)

VERSUS

N.R.V. CHANDRASHEKHAR

Respondent(s)

(IA No. 231422/2023 - STAY APPLICATION)

WITH

T.P.(C) No. 3065/2023 (IV-A)

(IA No. 236714/2023 - STAY APPLICATION)

Date : 01-02-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA

HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) Mrs. Anjani Aiyagari, AOR  
Mr. K.maruthi Rao, Adv.  
Mrs. K.radha, Adv.

For Respondent(s) M/S Saa Chambers, AOR  
Mr. Akshay Amritanshu, Adv.  
Mr. Madhukar Deshpande, Adv.  
Ms. Maheshwari D.m., Adv.  
Mr. Samyak Jain, Adv.

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

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

Pending application(s), if any, shall also stand disposed of.

(KRITIKA TIWARI)  
SENIOR PERSONAL ASSISTANT

(Signed order is placed on file)

(MALEKAR NAGARAJ)  
COURT MASTER (NSH)