

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. OF 2024

**(PETITION UNDER SECTION 25 OF THE
CODE OF CIVIL PROCEDURE, 1908)**

IN THE MATTER OF :-

Chanak Manish AgarwalPetitioner

V/s

Diwaker BagriRespondent

WITH

I.A. NO. _____ OF 2024

(Application for exemption from filing official translation)

WITH

I.A. NO. _____ OF 2024

(Application for stay)

PAPER BOOK

(FOR INDEX KINDLY SEE INSIDE)

**ADVOCATE FOR THE PETITIONER:
DR. RAVINDRA S. CHINGALE**

I N D E X

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<u>NO.</u>		

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“A”

IN THE SUPREME COURT OF INDIA

(CRIMINAL APPELLATE JURISDICTION)

SPECIAL LEAVE PETITION (CRL) NO. OF 2024

IN THE MATTER OF :

Sneha W/o Sumit Khandare ... Petitioner

Versus

Sumit S/o Bharat Khandare & Ors. ... Respondents

OFFICE REPORT ON LIMITATION

1. The Petition is/are within limitation
2. The Petition is barred by time and there is delay ofdays in filing the same against order dated and petition for Condonation ofdays delay has been filed.
3. There is delay of days in Refiling the petition and petition for Condonation of days delay in Refiling has been filed.

BRANCH OFFICER

NEW DELHI

Dated: 25.07.2024

PROFORMA FOR FIRST LISTING

SECTION-

The case pertains to (Please tick/check the correct box):

- Central Act: _____ **C.P.C.**
- Section: Section _____ **25**
- Central Rule: (Title) _____ **NA**
- Rule No(s): _____ **NA**
- State Act : (Title): _____ **NA**
- Section: _____ **NA**
- State Rule : (Title) _____ **NA**
- Rule No(s): _____ **NA**
- Impugned Interim Order: (Date) _____ **N.A.**
- Impugned Final Order/Decree : (Date) : N.A.
- High Court : (Name) **N.A.**
- Names of Judges. **N.A.**
- Tribunal/Authority : (Name) **NA**

-
1. Nature of matter: **Civil T.P.** Criminal
 2. (a) Petitioner/appellant No.1: Chanak Manish Agarwal
(b) e-mail ID: _____ **NA**
(c) Mobile phone number: _____ **NA**
 3. (a) Respondent No. 1 Diwaker Bagri
(b) e-mail ID: _____ **NA**

A-2

- (c) Mobile phone number: **NA**
4. (a) Main category classification: **18. Ordinary Civil Matter**
(b) Sub classification: 1802 T.P. U/s 25 of CPC
5. Not to be listed before: **NA**
6. (a) Similar disposed of matter with citation, if any, & case details

No Similar matter is disposed of

- (b) Similar pending matter with case details **No Similar matter is pending**

7. **Criminal Matters:**

- (a) Whether accused/convict has surrendered: NA
(b) FIR No. NA
(c) Police Station: N.A.
(d) Sentence Awarded: NA
(e) Period of Sentence Undergone including period of Detention/Custody Undergone: NA

8. **Land Acquisition Matters:**

- (a) Date of Section 4 notification: _____ **NA**
(b) Date of Section 6 notification: _____ **NA**
(c) Date of Section 17 notification: _____ **NA**

9. **Tax Matters:** State the tax effect: _____ **NA**

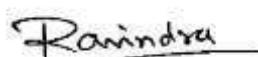
10. **Special Category** (first petitioner/appellant only): **NA**

Senior citizen 65 years SC/ST Woman/child Disabled

Legal Aid case In custody

11. Vehicle Number (in case of Motor Accident Claim matters): **NA**

Date: **25.07.2024**



[**Dr. Ravindra S. Chingale**]
Advocate for the Petitioner
Registration No. **2569**
e-mail:- aorchingale@gmail.com

B

SYNOPSIS & LIST OF DATES

The petitioner-wife is seeking transfer of divorce proceedings being M.C. No. 2473 of 2024 u/s 10 R/w 13 (1) (ia) of Hindu Marriage Act, 1955 filed by the respondent husband before the Ld. Principal Family Judge at Bangalore titled as “Mr. Diwaker Bagri vs. Chanak Manish Agarwal” to the family court Kolhapur, Maharashtra.

Marriage of the Petitioner and Respondent was solemnized on 28/11/2023 at Kolhapur and now petitioner is staying with her parents at Kolhapur whereas respondent husband is staying at Bangalore.

The petitioner is mentally and physically tortured by the respondent and her mother in law from within one month of the marriage and as a result petitioner was forced to leave the company of the respondent and returned back to Kolhapur with her parents.

The respondent filed judicial separation proceedings at Bangalore, Karnataka and petitioner is seeking transfer of the same to Kolhapur Karnataka on below mentioned main circumstances.

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- **No place for stay at Bangalore:** Petitioner has no relative in Bangalore with whom petitioner can stay at the time of court proceedings. Petitioner has been forced to leave the matrimonial home. Petitioner's sister is studying and staying in Hostel-PG and petitioner cannot go to her and stay with her. Thus, petitioner has no place to stay at Bangalore.
- **Respondent is working in Bangalore:** It is admitted that the respondent is working in Bangalore and his mother generally stays at Chennai. Thus, no hardship will be caused to respondent if the pending divorce proceeding is transferred to Kolhapur.
- **Financial Status and dependency of Petitioner:** Petitioner is not working anywhere. She is presently staying with her parents. Petitioner is fully dependant on her father, who is working at Dalmia Bharat Sugar. Petitioner has no separate income and she could not afford expenses for traveling and staying at Bangalore.

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- **Inability to meet expenses:** The respondent has not given a single penny to the petitioner to maintain herself. As such, the petitioner has no income by which she can manage herself. Petitioner has filed application for interim maintenance and the same is still pending before Court at Kolhapur.
- **Long Distance:** The petitioner is staying in Kolhapur, Maharashtra which is around 650 km from Bangalore, Karnataka. Around 12-13 hrs are required to travel by bus or train. No regular flight connectivity. Travelling is also expensive and requires somebody to accompany. The petitioner-wife does not feel safe in taking this long and tough journey alone. It needs at least 2 days for attending one date of hearing of court proceedings. Petitioner cannot leave her mother for 2 days who is totally dependent on her.
- **Pending cases at Kolhapur:** Petitioner has lodged a complaint on 23.05.2024 before Kasaba Bawada Police Station Kolhapur and the same was received on

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07.06.2024. Thus, transfer of the proceedings as prayed for herein below will help both the petitioner and respondent to solve the *lis* between them quickly and without any hardship to both the parties.

- **Respondent is doing internship:** Petitioner graduated in psychology and from 1st of July 2024 she has been interning with Manohitaay Psychological Centre, 1st Floor, Icon Building, 6th Ln, below Sachin Superspeciality Hospital, near Shree Ram Vidyalaya, Poorvarang, Mahalaxminagar, Rajarampuri, Kolhapur, Maharashtra 416008 for getting hands on work experience and also to update her knowledge. Being intern and newcomer in the field she is not getting any leave to attend the proceedings at Bengaluru.

- **Physical torture by Respondent:** It is admitted position that there were many past incidences where respondent manhandled petitioner and tortured her. Thus, considering the behavior of respondent it is highly unjustified to attend the court proceedings at

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Bangalore. Petitioner has filed police complaint at Women's South Police Station South Division Banashankari Bangalore City and explained the details of the incidence. Respondent and his family members are staying at Bangalore and they are influential and resourceful people and there is threat to the life of the petitioner.

- **Impermissibility of video conferencing:** This Hon'ble Court in *Santhini v. Vijaya Venketesh, (2018) 1 SCC 1* held that video conferencing cannot be deployed by Family Courts as a means to conduct hearings in matrimonial matters unless (i) both parties expressly consent to the same, and (ii) efforts for reconciliation have been undertaken and have failed. Neither condition is satisfied in the present case. Further, the petitioner has no strong WiFi internet connection to allow court hearings through video conferencing.

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- This Hon'ble Court has repeatedly held that in matters of this nature, especially when the husband files a matrimonial case against the wife, it is the convenience of the wife that is paramount.¹ The petitioner has already suffered a lot of mental trauma and agony at the hands of the Respondent, and it would further increase her suffering if she has to repeatedly visit Bangalore and incur enormous travel expenses along with risk to her life and health just to attend the judicial separation proceedings initiated by the Respondent on completely false and frivolous grounds.

In the above mentioned circumstances this Hon'ble Court may consider the hardship and inconvenience cause to the Petitioner wife and transfer the Petition for judicial separation pending at Family Court, Bangalore (Bengaluru), Karnataka to the Family Court at Kohapur, Maharashtra in the interests of justice, equity and good conscience.

¹ See e.g. Sumita Singh v. Kumar Sanjay, (2001) 10 SCC 41; Amita Shah v. Virender Lal Shah, (2003) 10 SCC 609; Sangeeta v. Prasant Vijay Wargiya, (2004) 13 SCC 407; Rajani Kishor Pardeshi v. Kishor Babul Pardeshi, (2005) 12 SCC 237.

H

List of Dates

28.11.2023	The Petitioner wife married to the Respondent Husband on 28.11.2023 at Maharani Lawns Kolhapur with Hindu rituals and customs. After the marriage Petitioner went to her matrimonial home at Bengaluru (Bangalore). All the expenses of the marriage, ornaments and clothes were borne by father of the petitioner.
26.01.2024- 28.01.2024	Petitioner along with her Husband went to Chennai to attend a marriage. On 28.01.2024 they both went to a Restaurant and there respondent went alone pretending to have received a phone call leaving petitioner alone. Petitioner and her nephew called respondent repeatedly but there was no reply. After few hours respondent picked the call and when petitioner inquired about his presence on that he started abusing and also dismantle

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	the chairs at the restaurant and beat petitioner in front of everyone.
Feb 2024	Mother-in-law of the petitioner made allegations of theft against her during mid-February when she was leaving for Chennai but later with the help of maid petitioner found the keys in the suitcase of mother in law beneath her clothes. Petitioner felt bad but eventually she recused to tell anyone except respondent. When petitioner was alone at the house, she realized that daily need food items were kept inside a small cupboard that was locked. Petitioner told this to respondent and he asked her to ignore this and informed her to order it from outside whenever needed.
06.03.2024	When mother-in-law of petitioner came back from Chennai she started abusing her and also threatened her to throw her out of the house.

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08.03.2024	Petitioner is a habitual drinker and on 08.03.2024 he was very much at Drunken Daddy Bar. Petitioner after knowing this went to the same place and try to convince him not to drink and create the scene in public place. Petitioner also apologized so that he can stop drinking and go home safely. The Petitioner called her father and ask him to speak with him. Petitioner booked the Taxi and send the respondent to go home. At around 11.30 pm when petitioner reached home after having dinner and found that the brown wooden door was again locked. She called respondent to open the door and waited for 10-15 minutes. Petitioner asked him the reason for locking the door again and again to which respondent slapped her. Petitioner pushed him back because he was in no state of understanding what he was doing
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and got a few nail scratches on him. At that time mother in law came in between and started shouting and said that petitioner fought with her son and asked her to leave the house. Further she said she would remarry him and pushed petitioner out of the room. In response, petitioner also pushed her back and said not to push and she would leave the house on her own. Mother in law of petitioner started shouting and called the neighbours saying that I attacked them and then they informed our owner and she probably called the police to handle the matter.

The Police came and asked petitioner whether she wanted to lodge complaint, however to save marriage petitioner denied it and just asked to allow to go her sister's house for tonight. Respondent tried to stop but his mother angrily said, "If you stop her

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	even after this, I will give you poison and die myself". By seeing behavior of the Mother in law and husband of the petitioner she went to her sister's place at around 1.30 am.
09.03.2024	Parents of the petitioner told her that they would come to Bangalore from Kolhapur and handle the situation. Petitioner tried to contact the respondent but he chose not to Contact with the petitioner.
10.03.2024	Parents of the petitioner came to Bangalore and meeting was held between petitioner, her parents, respondent and his brother in law. It was decided to give time to the petitioner and respondent to think, cool down, and then discuss what needed to be done.
31.03.2024	Elder brother in law of respondent called father of respondent and told to remain present at Bangalore on next Sunday to

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	talk face to face.
07.04.2024	<p>Petitioner and her father reached Bangalore as told and went to the café at noon. Respondent along with 6 other people, his maternal uncle with his elder son, his elder and younger brother-in-law, his elder sister reached the café. Respondent started the conversation by saying this is not possible for him and he decided to put an end to everything and he need a divorce. All of them were emphasising on mutual divorce but petitioner and her father opposed it as petitioner don't want to separate.</p> <p>When petitioner told respondent to have talk separately for 10-minute, then respondent's elder brother-in-law came along and stood beside us saying that it was not safe for the two of us to talk alone. Petitioner asked respondent the reason for this hasty decision and asked him to re-</p>

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think so that there would not be any regret it in the future, and also told him to take petitioner home with him for 3-4 months to re-live together and mend things but respondent turned down the suggestion of petitioner.

It is surprising that the respondent and his family members came with all the luggage and at the time of leaving the café, they insisted to take the luggage to Kolhapur. They deliberately and forcefully bought all the luggage in the tempo and forcing to take it back. Petitioner and her father took two bags and decided to file a police complaint for counseling so as to save the marriage.

Petitioner went to JP Nagar police station to lodge complaint but she was told to go to Konankunte Police Station. After writing the complaint, Police called respondent and

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and told him to take petitioner home but he refused so the police officer asked to go to the women's police station in Banashankari. After going there petitioner registered her complaint and they called respondent multiple times but he did not receive any call and when they called from their cell phone, he said he was out and would not be able to come today and asked the police to first issue the notice. The police gave the notice and asked me to give it to Diwaker by going to his home. When petitioner went to his house she found out that they had changed the house. Petitioner did not pick up the calls and therefore petitioner went to the Konankunte police station and told them about the notice and got to know that mother of respondent filed a false complaint against petitioner for attacking

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	her on night of 8 th March 2024.
14.04.2024	Petitioner and his father again went to police station for counselling as was told them. However, respondent did not present. Instead he told he would come on 15.04.2024. This attitude of the respondent shows that he does not want to cooperate with the petitioner. On the contrary petitioner is genuinely trying to save the marriage.
15.04.2024	Respondent filed M.C. No. 2473 of 2024 under Section 10 R/w S. 13 (1) (ia) of the Hindu Marriage Act, 1955 for Judicial Separation by making false allegation. Petitioner is denying all the allegations levelled in the said compliant. In fact, petitioner wants to live with the respondent and continue with the marriage.
17.05.2024	Petitioner sent legal notice to the respondent requesting him to take her

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	along with him to cohabit.
23.05.2024	Petitioner filed police complaint to the Police Inspector Kasaba Bawada Police Station Kolhapur the same was received on 07.06.2024 by Police Inspector.
04.06.2024	Respondent sent legal notice through his advocate.
24.06.2024	The Principal Family Judge at Bangalore listed the M.C. 2473 of 2024 on 14.08.2024 for hearing. Petitioner is now staying with her parents at Kolhapur and being alone it is not possible to travel Bangalore which is approximately 650-700 km.
25.06.2024	Petitioner filed complaint under Protection of Women from Domestic Violence, Act, 2005 before Chief Judicial Magistrate Kolhapur. The same is numbered with PWDVA Apnl./0000100/2024 Chanak VS Diwaker, and allocated to Court of 6 th Jt CJJD and JMFC Kolhapur. on 28-06-2024.

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	eCourts-MAHADC
01.07.2024	Petitioner has started interning with Manohitaay Psychological Centre Kolhapur for getting knowledge in her specialized field. It is important to note that the respondent is not looking after the petitioner and also not paying any maintenance. As such, to be self-sufficient and independent the petitioner has joined this internship which is without pay for getting practical experience.
24.07.2024	Hence, petitioner filed this Transfer Petition.

IN THE SUPREME COURT OF INDIA**CIVIL ORIGINAL JURISDICTION**

TRANSFER PETITION (CIVIL) NO. OF 2024
**(PETITION UNDER SECTION 25 OF THE CODE
OF CIVIL PROCEDURE, 1908)**

IN THE MATTER OF :-

Chanak Manish Agarwal
W/o Diwaker Bagri
And D/o Manish Agarwal
Age. 23 yrs. Occ. Housewife
R/o Flat F-4, Aarith Apartment,
Karande Mala, Behinde Circuit House,
Kolhapur, Maharashtra Pin: 416012

.....PETITIONER

Versus

Diwaker Bagri
S/o Late Ramesh Kumar Bagri,
Age. 26 yrs. Occ. Service
R/o Spelndour, 4th Cross Road,
Hanumangiri, Naidu Layout,
Chikkalasandra, Bangalore,
Bangalore – 560061, Karnataka

...RESPONDENT

**PETITION UNDER SECTION 25 OF THE CODE OF CIVIL
PROCEDURE, 1908 FOR TRANSFER OF DIVORCE
PROCEEDINGS BEING M.C. No. 2473 of 2024 u/s 10
Read With S. 13(1) (ia) OF HINDU MARRIAGE ACT,
1955 FILED BY THE RESPONDENT HUSBAND BEFORE
THE LD. PRINCIPAL FAMILY JUDGE AT BANGALORE
TITLED AS “DIWAKER BAGRI VS. CHANAK MANISH
AGARWAL” TO THE FAMILY COURT KOLHAPUR,
MAHARASHTRA.**

To

The Hon'ble Chief Justice of India and
His Companion Judges of the Supreme Court of
India.

The Transfer Petition of the petitioner above named:

MOST RESPECTFULLY SHOWETH:

1. This transfer petition is being filed under Section 25 of the Code of Civil Procedure, 1908 for seeking transfer of divorce proceedings being M.C. No. 2473 of 2024 u/s 10 R/w 13 (1) (ia) of Hindu Marriage Act, 1955 filed by the respondent husband before the Ld. Principal Family Judge at Bangalore titled as “Mr.

Diwaker Bagri vs. Chanak Manish Agarwal” to the family court Kolhapur, Maharashtra.

1(a). It is submitted that in the present petition name of city Bengaluru (new name) is written as (Bangalore)old name wherever necessary. Both the names are of the same city Bengaluru.

2. It is submitted that, marriage of the Petitioner and Respondent was solemnized as per Hindu rites and customs on 28.11.2023 at Kolhapur and thereafter both started residing at Bangalore. Petitioner submits that she was subjected to physical violence/ill treatment and mental harassment by the Respondent Bangalore. The respondent used to take fight on pity issues. The Respondent was making false allegation against the petitioner and as such used to harass the Petitioner and sometimes Respondent beat the petitioner without any reason on small issues.

3. Petitioner submits that at the time of marriage Respondent was working in PKF LLP at Bengaluru

and presently also he is working in the same company.

4. It is submitted that in the month of January 2024 Petitioner along with her Husband went to Chennai to attend a marriage. On 28.01.2024 they both went to a Restaurant and there respondent went alone pretending to have received a phone call leaving petitioner alone. Petitioner and her nephew called respondent repeatedly but there was no reply. After few hours respondent picked the call and when petitioner inquired about his presence on that he started abusing and also dismantle the chairs at the restaurant and beat petitioner in front of everyone. Respondent had created scene and it was completely embarrassing for petitioner at public place.

5. However, it is important to note that after within 2 month from the marriage approach of the respondent towards petitioner changed and he had started misbehaving with the petitioner.

6. It is further submitted that in the month of February 20204 mother-in-law of the petitioner made allegations of theft against her when she was leaving for Chennai but later with the help of maid petitioner found the keys in the suitcase of mother in law beneath her clothes. Petitioner felt bad but eventually she recused to tell anyone except respondent. Petitioner did not disclose this fact to anybody only with respect and to save marriage.

7. It is submitted that Petitioner is a habitual drinker and on 08.03.2024 he was very much at Drunken Daddy Bar. Petitioner after knowing this went to the same place and try to convince him not to drink and create the scene in public place. Petitioner also apologized so that he can stop drinking and go home safely. The Petitioner called her father and ask him to speak with him. Petitioner booked a cab for respondent so that he can go home safely. Thereafter when petitioner reached home at around 11.30 pm respondent did not open the door.

8. Petitioner called respondent to open the door and waited for around 15-20 minutes. Petitioner asked him the reason for locking the door again and again to which respondent slapped her. Petitioner pushed him back because he was in no state of understanding what he was doing and got a few nail scratches on him. At that time mother in law came in between and started shouting and said that petitioner fought with her son and asked her to leave the house. Further she said she would re-marry him and pushed petitioner out of the room. In response, petitioner also pushed her back and said not to push and she would leave the house on her own. Mother in law of petitioner started shouting and called the neighbours saying that I attacked them and then they informed our owner and she probably called the police to handle the matter.

9. The Police came and asked petitioner whether she wanted to lodge complaint, however to save marriage petitioner denied it and just asked to allow to go her

sister's house for tonight. Respondent tried to stop but his mother angrily said, "If you stop her even after this, I will give you poison and die myself". By seeing behavior of the Mother in law and husband of the petitioner she went to her sister's place at around 1.30 am. Thus petitioner was tortured by the respondent and her mother in law.

10. On 10.03.2024 parents of the petitioner came to Bangalore and meeting was held between petitioner, her parents, respondent and his brother in law. It was decided to give time to the petitioner and respondent to think, cool down, and then discuss what needed to be done.

11. Thereafter on 31.03.2024 the elder brother in law of respondent called father of respondent and told to come to Bangalore on next Sunday to talk face to face. Accordingly on 07.04.2024 petitioner along with her father went to Bangalore and met respondent and his family members in a café. Petitioner was expecting that respondent will accept her and take her back to

matrimonial home. However, she was shocked when respondent asked her for mutual divorce. In fact, the family members of the respondent insisted to take all her luggage along with her to Kolhapur. They have even booked tempo for that. Petitioner went to police station and lodged complaint. Hereto annexed and marked as **Annexure P-1 (Pg. 24 to 27)** is true typed copy of the complaint dated 07.04.2024 along with translated copy of receipt.

12. On 14.04.2024 petitioner and her father again went to police station for counselling as was told them. However, respondent did not present. Instead he told he would come on 15.04.2024. This attitude of the respondent shows that he does not want to cooperate with the petitioner. On the contrary petitioner is genuinely trying to save the marriage.

13. At one side respondent was aware that petitioner was trying to conciliate and save the marriage and on 15.04.2024 the other side petitioner on 15/ filed case M. C. No. 2473 of 2024 u/s. 10 r/w S/ 13 (1) (ia) of

Hindu Marriage Act for judicial separation. This shows that the respondent does not want to cohabit with the petitioner. This is nothing but cruelty and harassment on the part of the respondent. Hereto annexed and marked as **Annexure P-2 (Pg. 28 to 41)** is true copy of the case M.C. no. 2473 of 2024 filed before the Principal Family Judge at Bengaluru.

14. As respondent is not ready to accept the petitioner and therefore on 17.05.2024 Petitioner sent legal notice to the respondent requesting him to take her along with him to cohabit. Hereto annexed and marked as **Annexure P-3 (Pg.42 to 50)** is true copy of the notice dated 17.05.2024 sent by advocate of the petitioner.

15. On 23.05.2024 Petitioner filed police complaint in the Kasaba Bawada Police Station Kolhapur. Hereto annexed and marked as **Annexure P-4 (Pg.51 to 54)** is true translated copy of the complaint dated 23.05.2024 and the same was received on 07.06.2024.

16. It is submitted that the Respondent on 04.06.2024 sent legal notice through his advocate to the petitioner and made some vague allegations. Respondent without showing his intention to stay together made false allegations and put all blame on the petitioner showing that she is culprit of all the wrongs. This attitude of the respondent shows that he is not willing to stay with petitioner and to save from the clutches of law he was making false allegations and misleading his advocate as well as ld. Courts below. Hereto annexed and marked as **Annexure P-5 (Pg. 55 to 66)** is true copy of the reply to the legal notice dated 04.06.2024.

17. On 25th June 2024 Respondent filed complaint u/s 12 of Domestic Violence Act before the Chief Judicial Magistrate Kolhapur. Hereto annexed and marked as **Annexure P-6 (Pg.67 to 68)** is true copy of case status of the PWDVA Application no. 100 of 20204 filed under Domestic Violence Act dated

25.06.2024. The matter is now listed for hearing on 19.08.2024.

18. It is submitted that the petitioner is not getting any maintenance from the respondent and financial condition of the petitioner is very critical. Petitioner is totally dependent on her father.

19. The Petitioner submits that since the controversy in the present Transfer Petition is very narrow, she is advised not to refer further to the merits of the case as between the parties in this petition and will elaborate only the grounds taken by her for the purpose of this transfer petition.

20. In the circumstances, the Petitioner is constrained to move this Hon'ble Court in its jurisdiction under Section 25 of the Code of Civil Procedure, 1908 and Article 139A(2) of the Constitution of India on the following amongst other grounds which are in the alternative and without prejudice to each other.

- i. It is submitted that the Petitioner is now staying with her parents in Kolhapur which is around 650 km from Bangalore. Father of the petitioner is working in a private company and he is completely occupied with his office work and did not get time. Sister of the petitioner is studying and she has no time to accompany petitioner to attend court cases. Mother of the petitioner, although is a housewife she cannot travel and accompany petitioner. In view of the family problem, if petitioner has to travel to the Bangalore from Kolhapur for hearing of the aforesaid case it will be difficult for petitioner to travel alone.
- ii. Mother of the respondent is normally staying in Chennai and therefore there is no hardship or prejudice or inconvenience to the respondent if the matter has been transferred to Kolhapur Family Court and respondent has to come down to the

Kolhapur for hearing. On the contrary, if the petitioner has to travel from Kolhapur to Bangalore for regular hearing, it will cause serious hardship and inconvenience to the plaintiff.

iii. It is submitted that, the distance between Kolhapur and Bangalore is about 650 kilometres and it takes around 10 to 11 hours for one way travel by train/bus. There are no direct trains from Kolhapur to Bangalore. Also flight connectivity is also not regular and frequent, rather it is highly expensive. The Petitioner has to travel alone and now there is no place for stay in Bangalore. In this situation it is very difficult for petitioner to go to Bangalore and attend the court hearing. It took at least 2 days to attend one date. Petitioner has to stay in Bangalore and being a nonworking lady, without getting any maintenance from respondent, it will be an additional financial burden on the petitioner. It will be rather in the interests of justice

to transfer the proceedings to Kolhapur where the Petitioner is staying with her parents.

iv. It is submitted that the Petitioner is now totally dependent on her father and savings of her father. Petitioner is not doing any job and earning independently. She cannot afford the travelling and other court expenses in Bangalore. Petitioner is not getting any kind of maintenance from the Respondent. If she will be burdened on further expenses on travel and accommodation for court hearings to Bangalore a greater hardship will be caused to her.

v. The petitioner is totally dependent on the her parents. Every time there is nobody to accompany the petitioner to travel to Bangalore to attend court hearing. Thus, petitioner cannot travel alone and go Bangalore for attending the court proceedings. In the circumstances, this is a fit case

for this Hon'ble Court to direct transfer of the proceedings as prayed for herein below.

vi. The Petitioner has filed complaint before Kasaba Bawada Police Station Kolhapur and made specific allegations against the Respondent Husband for acts of Physical and mental violence/harassment meted out to her. Petitioner received message that her Application was Assigned to Shahupuri Police Station with Application No. is 2024/3980.

vii. Petitioner has also filed complaint before the police station at Bengaluru. Petitioner is fearful for her safety and wellbeing if she has to travel and stay in the place of her matrimonial residence (Bangalore). Respondent and his brother in law and other relatives are staying in Bangalore and all of them are very resourceful person and the Petitioner apprehends that there is threat to her life. In fact, from the meeting in April 2024 in Bangalore it can

be seen that respondent and his family members are resourceful and can go to any extend.

viii. It is submitted that Petitioner has also filed application under Domestic Violence Act before Judicial Magistrate First Class at Kolhapur. Thus, there are already cases pending before the Kolhapur Court and therefore, if the pending judicial separation proceeding before the Family Court Bangalore has been transferred to Kolhapur Family Court there will not be any harm and prejudice to the respondent, in fact, it will help to the judges to come to the proper conclusion. Transfer of the proceedings as prayed for herein below will help both the petitioner and respondent to solve the *lis* between them quickly and without any hardship to both the parties.

ix. It is submitted that it will be most difficult for the Petitioner if she is required to travel

frequently from Kolhapur to Bangalore. The Respondent on the other hand has no other responsibilities and in the circumstances, no inconvenience or hardship will be caused to the Respondent to travel to attend the proceeding at Kolhapur.

x. It is submitted that the Respondent filed the Judicial Separation Petition by making false allegations against the Petitioner. Instead it is submissions of the Petitioners that she was faced with mental and physical cruelty from the Respondent and his family members. There are valid proofs and admissions from the respondent that he tortured the petitioner physically and mentally. The same has been mentioned in the petition/ complaint filed by petitioner. Thus, it is the case of the petitioner that she was forced to leave her matrimonial home at Bangalore and further forced to stay at Kolhapur with parents. Father of the

petitioner transferred amount of Rs. 50,000/- on 12.12.2023 and Rs. 25,000/- on 24.01.2024. It is also the case of the petitioner that respondent was demanding dowry from petitioner or her father and forcibly took all her ornaments (Stree dhan) from her for one or other reasons. In this situation it is necessary to transfer the petition from Bangalore to Kolhapur so as to avoid conflicting opinions of the two different courts. In these circumstances, it is necessary, to direct the proceedings of Judicial Separation Petition filed by the Respondent to be transferred to Family Court Kolhapur from Bangalore.

xi. For attending the proceedings at Bangalore, the Petitioner will have sometime to stay in a hotel. As a lady, Petitioner also finds it extremely difficult to stay in a hotel alone. She has no person at Kohapur to accompany with her for travel to Bangalore for attending the proceedings initiated by the Respondent husband.

xii. Because petitioner has started interning with Manohitaay Psychological Centre Kolhapur from 01.07.2024 and being intern and new joining she is not allowed to take leave. Role and responsibilities of petitioner are as a Junior Counseling Psychologist Intern. She has to assist the other senior psychologist for client interaction and support, therapeutic techniques and interventions, documentation and record keeping, research and continuing education etc. It is therefore not possible for her to go to Bengaluru to attend the court proceedings frequently. She has to lose her internship and it will have serious effect on her career.

xiii. Because this Hon'ble Court in ***Santhini v. Vijaya Venketesh, (2018) 1 SCC 1*** held that video conferencing cannot be deployed by Family Courts as a means to conduct hearings in matrimonial matters unless both parties expressly consent to the

same. In the present case petitioner has not given consent for the hearing to be conducted by video conferencing as no facility of proper strong WiFi internet connection and the mobile internet connection with the petitioner so as to allow and attend court hearings through video conferencing;

xiv. Because this Hon'ble Court in ***Santhini (supra)*** also held that video conferencing cannot be deployed by Family Courts unless efforts for reconciliation have been undertaken and have failed. It is submitted that in the present case respondent is claiming judicial separation on the ground of desertions by petitioner. However, it is the case of the petitioner that petitioner was ill-treated and manhandled by the respondent and she was forced to leave from matrimonial house at Bangalore. It is specific case of the petitioner that she does not want divorce and she has not deserted the respondent. In this background it is submitted that no effective

efforts for reconciliation have been undertaken by the Family Court so far.

xv. Because the Petitioner has already suffered a lot of mental trauma and agony at the hands of the Respondent, and it would further increase her suffering if she has to repeatedly visit Bangalore and incur enormous travel expenses just to attend the divorce proceedings initiated by the Respondent on completely false and frivolous grounds

21. The petitioner has not filed any other petition or petitions before this Hon'ble Court earlier. The documents filed with this transfer petition are true copies of their respective originals.

PRAYER:

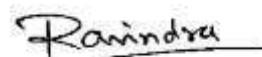
The Petitioner therefore prays:-

(a) That this Hon'ble Court be pleased to transfer of divorce proceedings being M.C. No. 2473 of 2024

u/s 10 R/w 13 (1) (ia) of Hindu Marriage Act, 1955 filed by the respondent husband before the Ld. Principal Family Judge at Bangalore titled as "Mr. Diwaker Bagri vs. Chanak Manish Agarwal" to the family court Kolhapur, Maharashtra.

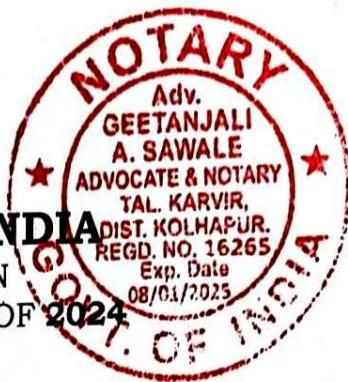
- (b) That such further and other orders be passed as deemed necessary in the facts and circumstances of the present case.

Filed by:



(DR. RAVINDRA S. CHINGALE)
ADVOCATE FOR THE PETITIONER
NEW DELHI

Filed on: 25.07.2024



VAKALATNAMA
IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
TRANSFER PETITION (CIVIL) NO. OF 2024

IN THE MATTER

Chanak Manish Agarwal

...PETITIONER/S

V/s
Diwaker Bagri

....RESPONDENT/S

AFFIDAVIT

I, Chanak Manish Agarwal, Age 24 yrs. Occupation: housewife, R/o F-4 Aarith Apartment, Karande Mala, Behind Circuit House, Kolhapur, Maharashtra, do hereby solemnly affirm and state as follows:

1. I say that I am one of the petitioners in the above-mentioned Transfer Petition. I say that I am conversant with the facts of the present case and as such I am able to depose thereto on behalf of Petitioners.
2. I say that I have read the contents of accompanying Transfer Petition at paragraphs 1 to²¹ at page 1 to 22 and the synopsis and list of dates at pages B to R and the I.A.s and the same are true to my own knowledge and belief.
3. I say that the documents as Annexure P/1 to P/ 6 annexed to the TP are true copies of their respective originals and are part of the record of the courts below.
4. I say that the petitioner has not filed any other petition against the order impugned herein. I have understood the contents of the petition in my mother tongue and for that I am putting my signature hereinbelow.

Chanak
DEPONENT

VERIFICATION

Verified at Kolhapur dated this 19th of July, 2024 that the contents of this affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed there from.

...LEMNLY affirmed before me
by Chanak Agarwal

Chanak
DEPONENT

Who is identified before me
Aadhar card
by 871209407198

Whom I personally know

This 19 day of 07 2024

Dt. 19/07/2024

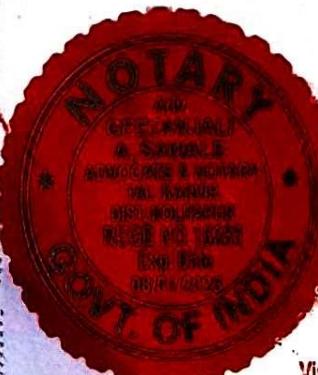
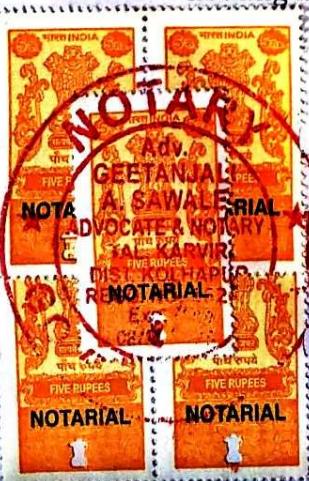
Notary Regi. Sr. No. 1819

19/07/24

GEETANJALI A. SAWALE

Advocate & Notary

R.S.No. 820/2, Plot No. 11, E Ward,
Vishwasai Heights, 3rd floor, Sahajivanparisar
Karandemala, Kasaba Bavada, Kolhapur.



Annexure P-1

To,
The Police Inspector,
Women's South Police Station (South Division)
Banashankari, Bangalore City

From,
Chanak Manish Agarwal
13th A crossroad, Shivakrupa apartment, Srinidhi Layout, J P
Nagar 8th Phase 560062

Respected Sir/Madam,

Sub: Complaint against my husband Mr. Diwaker Bagri and his
mother Smt. Sangita Bagri

With due respect, I beg to state that I have been married to Mr. Diwakar Bagri on the 28th of November, 2023. It is a love-arranged marriage with the consent of both our family members and knowing each other for one year from November 2022. Everything was good before marriage but soon after the marriage my husband and his mother started torturing me for not being her choice and brainwashing my husband to fight on small issues and physically torturing me. She would also accuse me of stealing falsely for things like her cupboard keys and ornaments in the presence of our housemaid and humiliate me in front of carpenters, plumbers, and even maid.

On the 8th of March, 2024, I went to the pub in Koramangala to clear some misunderstandings with my husband and took my sister along. But he started shouting at the pub and I requested him to go back home as he was drunk. I went home with my sister at around 11:30 pm and saw the door was purposely locked, which otherwise never used to be and we waited for almost half an hour outside. Then when I asked the reason for locking, he slapped me and pushed me. I started to say I would leave the house but when I refused she dragged me and in self-defense, I pushed her back but she started shouting and calling the neighbors. Due to this police came and my sister Tanya Agarwal told me that 5-6 months before marriage my husband tried to assault her physically and made her eat an i-pill by force. When she said she wanted to tell me everything, she was stopped and manipulated by him saying that it would destroy my life and she stopped and let the marriage happen for my good. Thinking he would change but she could not see me suffering so she told me the truth in the early hours of 9th March 2024. Previous to this, his mother kept giving me threats of getting my husband's second marriage in my presence and insulting me by saying that I was not her choice, she married me to him only because it was his son's choice which caused me mental stress and constant self-doubt. Upon asking about any jewelry to wear, she would be rude and say that you have not got anything much from your house and whatever you have got to wear.

On the night of 8th March 2023, I was forced to take all my luggage and go to some other place along with some of the ornaments I got from my father. She also asked me to return my engagement ring and mangal sutra in front of an inspector from Konankunte cross police station. Today, when they called my father and me to meet for a final discussion where they asked for a divorce and booked a tempo in the café to return my luggage without my knowledge even when I told them otherwise.

I request you to please look into the matter and do the needful.

Yours faithfully,
Chanak Manish Agarwal
Mob: 9325777902
Diwakar (Husband)
Mob: 7010538319

ACKNOWLEDGEMENT

NO. 76A Original copy

Reference No. : LPT NO. 268/2024

GSC NO. PO1377240600272

Date: 07/04/2024

Application form/Application type: Husband-wife problem

1. VISITOR/ COMPLAINANT / NAME OF INVITEE: CHANAK MANISH AGARWAL
2. FATHER/HUSBAND NAME: DIWAKER
3. ADDRESS: NO- 25/26 F-2 BLOACK, SHIVAKRUPA, 13TH A CROSS ROAD, SRINIDHI LAYOUT, JP NAGAR, 8TH PHASE, BENGALURU CITY, KARNATAKA.
4. MOBILE:
5. PURPOSE OF INVESTIGATION: THE GIST OF THE COMPLAINT IS THAT THE PETITIONER FELL IN LOVE WITH THE OPPOSITE PETITIONER AND BOTH GOT MARRIED TO EACH OTHER FOR 4 MONTHS WITH THE PERMISSION OF PARENTS FROM BOTH PARTIES. THE OPPOSITE PETITIONER, AFTER LISTENING TO HIS MOTHER'S TANTRUMS, ABUSED THE PETITIONER VERBALLY AND PHYSICALLY. THE PETITIONER WAS ALSO KICKED OUT/DENIED ACCESS FROM HOME BY THE OPPOSITE PETITIONER ETC.
6. COUNTER PARTY DETAILS: NAME: DIWAKER AND FAMILY, S/O
ADDRESS: NO- 25/26 F-2 BLOACK, SHIVAKRUPA, 13TH A CROSS ROAD, SRINIDHI LAYOUT, JP NAGAR, 8TH PHASE, BENGALURU CITY, KARNATAKA.
7. APPLICATION/DOC: YES
8. SIGNATURE OF THE INCHARGE

True Translated Copy

Annexure P-2**IN THE COURT OF THE HON'BLE PRINCIPAL FAMILY JUDGE****AT BENGALURU****M.C. NO. 81-1374
OF 2024****BETWEEN:**

DIWAKER BAGRI
 S/o Late Ramesh Kumar Bagri,
 Aged about 26 years,
 Residing at:
 Siri Splendour, 4th cross Rd,
 Hanumagiri, Naidu Layout,
 Chikkalasandra, Bengaluru 560061

.....PETITIONER

AND:

CHANAK MANISH AGARWAL
 W/o Diwaker Bagri,
 Aged about 23 years
 Residing at F-4, Aarith apartment,
 Karande Mala, behind circuit, Kolhapur

.... RESPONDENT

**MEMORANDUM OF PETITION UNDER SECTION 10 READ WITH
SECTION 13(1)(ia) OF THE HINDU MARRIAGE ACT, 1955**

The Petitioner above named respectfully submits as follows:

1. The address of the Petitioner for the purpose of notices, Court summons, etc is as shown in the cause titled above. The Petitioner may also be served to the care of its counsel at No.4913, 10th Floor, High Point IV, Palace Road, High Grounds, Sampangi Rama Nagar, Bangalore - 560001.
2. The Petitioner has filed this petition for a decree of Judicial Separation between the Petitioner with Respondent in respect of wedding solemnized on 28.11.2023 at Mahanrani Lawn, 240/B, General Thorat Marg, E Ward, Tarabai Park, Kolhapur, Maharashtra 416003 under the Hindu Marriage Act, 1955 on the ground of cruelty due to which the Petitioner is unable to live with the Respondent.
3. The Petitioner and the Respondent are both Hindus and are governed under the Hindu Marriage Act, 1955. The Petitioner and

participated in the marriage, though the parties belong to different castes and community. The Petitioner is from Maheshwari community, and the Respondent is from Agarwal community.

7. At the time of the said marriage, the Petitioner was a bachelor of 26 years of age, whereas the respondent was also unmarried and was of 23 years.
8. After marriage, the Petitioner and Respondent lived as husband and wife at the previous residence of Petitioner in No.F-2, Shivakrupa, 13th A Cross Road, Srinidhi Layout, JP Nagar 7th Phase, Bangalore 560062. The matrimonial home of the Petitioner and Respondent consisted of the Petitioner's widowed mother, Petitioner and the Respondent.
9. As stated *supra*, the parties had dated for about one year before marriage. The Respondent was well aware of the family background, upbringing and values of the Petitioner as well as the economic position of the Petitioner. The Respondent was well aware that the Petitioner was very emotionally attached and connected to his mother and two elder sisters ((both are married and settled with their matrimonial family) especially given the fact that his father has passed away when he was of the age of 12 and his mother and sisters raised the Petitioner and provided all the support. It is pertinent to mention that the Petitioner's mother is ailing from a lung related illness and suffers from old age related ailments such as high blood pressure and hence, the Petitioner needs to provide her with care and assistance. This fact was well known to the Respondent.
10. *The Respondent was also aware that the Petitioner had just started his career as Internal Auditor and was just getting bare minimum salary for hand to mouth standard of living and provide basic standard of living to his family. In fact, the Petitioner had to borrow a huge sum of money from his relatives to meet the wedding expenses.*

11. The Respondent started showing her true nature and traits immediately after marriage. The Respondent started inflicting mental, physical and emotional cruelty on the Petitioner and his mother (Smt.Sangita Bagri) from day one of the marriage which no reasonable person could have endured. The conduct of the Respondent with the Petitioner was alcoholic, aggressive, egoistic, rude, moody, displaying bouts of anger in every situation, and constantly nagging and display insecurity at every stage during the course of their relationship amounting to physical, mental and financial cruelty against the Petitioner. The Respondent had no emotion or love for the Petitioner and his family members.
12. The Respondent had asked the Petitioner to purchase mangalsutra for the wedding. The Respondent had indicated that she wanted an infinity shaped mangalsutra. The Petitioner bought mangalsutra of a different shape and design as the one Respondent wanted was very expensive and going above the budget of the Petitioner. The very next day of the wedding the Respondent created a huge ruckus and fought the entire night with the Petitioner for not buying the mangalsutra she wanted. The Respondent did not care that it was their first night after marriage and that there were guests at home. The Respondent insulted the Petitioner by calling him names and hurling abuses and using unparliamentary language for not buying the mangalsutra of her choice, despite knowing the financial position of the Petitioner.
13. As stated *supra*, the Petitioner's mother had shifted from Chennai to Bangalore permanently to reside with her son and the Petitioner was very emotionally attached to his mother. Despite knowing the said fact, to the shock and surprise of the Petitioner, on the 5th day after marriage, the Respondent demanded the Petitioner to find a separate residence for his mother. The Respondent did not want the Petitioner's mother to stay with them. This came as a huge shock for the Petitioner as the Respondent had never made such a demand before marriage despite dating him for about a year. The Petitioner outrightly

refused to shift his mother and requested the Respondent to live peacefully with his mother and treat her as her own mother. However, the Respondent, without understanding the emotions of the Petitioner again created a huge ruckus and fought with the Petitioner.

14. Thereafter, on 6th December, 2023 the Respondent's mother, who stays in Kolhapur, came to Bangalore for a few days and stayed at the Petitioner and Respondent's matrimonial home. The Respondent's mother had come to stay in the guise of taking care of the younger sister of the Respondent, who was allegedly unwell at that time. The Respondent's younger sister stayed in an independent flat near Yeshwanthpur, Bangalore , but had come to stay at the matrimonial house of the parties for a few days.

15. The Respondent's mother, during her stay, asked the Petitioner's mother to shift to an old-age home to avoid being a burden on her daughter. The Respondent's mother kept making insulting and sarcastic comments to the Petitioner's mother for staying with her son even after his marriage. The Petitioner and his mother ignored the Respondent mother's comments as she was a guest and had come home for the first time immediately after the wedding.

16. The Respondent's mother had come to live with the Petitioner and Respondent to take care of the sick younger daughter. However, the Respondent forced the Petitioner to take the Respondent and her mother for expensive parties. The Respondent was addicted to clubbing (going to clubs) and alcohol. She could not stay for more than two days without going out to a club and drinking alcohol. Thus, even though the Respondent's sister was unwell, the Respondent forced the Petitioner to take her and her mother to a club for drinking alcohol and when the petitioner denied the respondent created a huge ruckus and left for the party along with her mother.

17. The Respondent's mother continued to visit the Petitioner's house every month and would stay for more than a week. During

her stay the Petitioner and his mother did their best to make her feel comfortable, but the Respondent and the Respondent's mother would create a hostile environment by taunting the Petitioner's mother in the absence of the Petitioner. The Petitioner's mother, being an elderly widow, was left helpless in such situations and could not respond to their insulting remarks. The Respondent and her mother would constantly try to make the Petitioner's mother feel like she was a burden on them.

18. Thereafter, the Petitioner and Respondent had travelled to Shahjahanpur, Meerut, Manali and New Delhi for their honeymoon between 18.12.2023 to 03.01.2024. During their travel, the Respondent's own maternal grandmother passed away on 28.12.2023. Having regard to the said fact, the Petitioner decided not to go out and stay in hotel as the Respondent had informed the Petitioner that she was very close to her grandmother. However, instead of mourning of the demise of her grandmother, the Respondent coerced the Petitioner to go to club for partying and drinking alcohol the next day of grandmother's demise and posted the stories of her partying on social media site like Instagram. This clearly shows that the Respondent indulged in alcohol abuse on a regular basis. The extent of her alcohol abuse and addiction was such that even on the next day when her grandmother passed away, she took off to indulge in drinking.

19. Due to the reckless and irresponsible lifestyle of the Respondent, who was a heavy drinker, the marriage between the Petitioner and the Respondent started suffering. On a regular basis, the Respondent started going out drinking and would come back home late in the night. She would wake up late after her partying spree and had no sense of responsibility towards her household responsibilities or her family. The Petitioner's elderly and ailing mother was compelled to take care of the house and the family all by herself. Despite not lending a helping hand in take care of the house, the Respondent expected her elderly and ailing mother-in-law to run the house only as per the wishes of the Respondent only. If any of the wishes of the Respondent were

not followed by her mother-in-law, she would fly into a fit of rage and have vitriolic fights with her mother-in-law. Alarmed by the Respondent's recklessness behaviour which was influenced by alcohol, the Petitioner tried to reason with the Respondent and requested her to make changes to her lifestyle for the sake of her own wellbeing and health, and also because the relationship between the Petitioner and the Respondent had started to suffer because of the Respondent's disdain towards her familial obligations.

20. The Respondent was so engrossed in her lifestyle of partying and drinking that she sabotaged her own career as well. Being highly educated, she used to work as Associate at Avocation Educational Services Pvt Ltd prior to the wedding. The Petitioner, caring about her wellbeing and career, encouraged her to continue working after the marriage as well. In fact, the Respondent received many employment opportunities but she refused to accept any of them for flimsy reasons and even quit the job that she had.
21. The Petitioner has suffered extreme mental and emotional cruelty at the hands of the Respondent. The Respondent told the Petitioner that she has had two abortions in 2020-21 with her ex-boyfriend and she may not be able to conceive in the future because of previous abortions. The Respondent suppressed this important fact and informed the Petitioner about this fact only after the wedding. The Respondent by suppressing this important fact had shaken the very foundation of marriage and created distrust between the parties.
22. On 27.01.2024, the Petitioner and the Respondent visited Chennai to attend the wedding of one of the Petitioner's friends. On 28.01.2024, they, along with the Petitioner's minor nephew went to a restaurant named Drive N Eats to meet some of the Petitioner's friends. As the Petitioner's friends had not reached the restaurant the Petitioner stepped out of the restaurant to look for them. It took him around ten to fifteen minutes to return to their table along with his friends. During this time the

Respondent had flown into a fit of rage because he took ten to fifteen minutes to come back to her. She started abusing the Petitioner in front of his nephew and around 150 guests at the restaurant in unparliamentary and improper language. In front of the Petitioner's nephew, friends and other guests in the restaurant, the Respondent started abusing the Petitioner's mother and sister and used obscene words for them and slapped the Petitioner.

23. The Respondent wanted complete control over the life of the Petitioner and was obsessive and controlling. She did not like Petitioner taking any decision on his own. The Respondent wanted to separate the Petitioner from his mother, family and relatives causing immense emotional and psychological trauma and cruelty for the Petitioner and his family members. She would even prevent him from attending important official events, family functions and getting together with friends. The Petitioner attempted to explain to her that it was extremely important for his career to participate in official events organized by his office but to no avail. When he would try to attend events against her unreasonable restrictions, she would spend the entire night fighting with him without having any regard for the fact that he had to attend office the next day and the lack of sleep and stress was having a detrimental impact on his health.

24. The Respondent even had an objection to the Petitioner spending time with his mother and would prevent him from giving her any attention. She used to object whenever the Petitioner would even try to call up his sisters to speak to them on the phone. She would also have objections if the Petitioner tried to show care and regard towards his elderly mother like dropping her to the temple or grocery store.

25. The Respondent wanted complete control over the life of the Petitioner. In this regard she, even without the knowledge of the Petitioner, shared the google location from his phone to herself and would track all his movements. Whenever the Petitioner used to go out, the Respondent would constantly call him and ask him

about his whereabouts. On occasions when the Petitioner could not pick up the phone call on account of being occupied with something important, she would hysterically call him continuously until he picked up the call and fight with him for not picking up the call at the very first ring. She had the same obsessive and controlling behaviour with her mother-in-law as well.

26. The Respondent would very often threaten to leave the matrimonial home and even to commit suicide for any and every disagreement. On some instances she even left the house and went to her sister's house over small tiffs. On every occasion the Petitioner would go and pacify her and placate her with a lot of love and affection and bring her back. The Respondent's sister would often call up the Petitioner and say that the Respondent is attempting to commit suicide and would ask him to follow all her demands.

27. As things stood thus, on the eve of Shiv Ratri on 07.03.2024, on the pretext of dressing up for the puja, the Respondent demanded diamond bangles which were gifted to her by the Petitioner's mother, which were kept in the family safe. She said that she was going to keep a fast. The Petitioner provided her with her bangles of choice but she got furious and said that she wanted a different set of bangles which were of gold. When the Petitioner's mother started looking for the gold bangles, she realized that they were missing. While the Petitioner and his mother were disturbed and surprised by the fact that jewelry had gone missing from the safe, the Respondent started insulting them by saying that they were stingy and did not provide her with adequate amount of jewelry during the wedding and picked up a huge fight with the Petitioner claiming that the Petitioner did not want her to wear the jewelry . The next day on Shiv Ratri, while claiming that she was going to fast, the Respondent ended up going to a club with her sister and got drunk. She came back to the house with her sister at 11:45 pm in the night in a drunken state. As it was the late hours of the night the door of the house

was locked. This infuriated the Respondent and as soon as the Petitioner opened the door, the Respondent started fighting with the Petitioner and assaulted him and was shouting that she did not want to live in the house anymore and wanted to leave. The Petitioner's mother who was asleep, woke up upon hearing the commotion and came to see what the matter was. Upon seeing the Respondent attacking the Petitioner whose face was bleeding from the Respondent's assaults, the Petitioner's mother tried to separate them. The Respondent got even more agitated, hysterical and furious at this and grabbed her mother-in-law's neck and started choking her. The Petitioner managed to remove the Respondent's hands from his mother's neck. Alarmed by the Respondent's behavior the Petitioner's mother called her neighbors to intervene. The neighbors informed the landlady of the Petitioner, The landlady also came over upon being informed of the fight by the neighbours. The Respondent and her sister started abusing the landlady as well and asked her to not interfere in a family matter. The landlady tried to reason with her and said that as she was the owner of the house she did not wish any untoward incident to happen on her premises and in return the Respondent's younger sister pushed the landlady aggressively. True copies of the photos of the Petitioner and Petitioner's mother being injured are produced herewith as **Document No.5 series** and medical report of the Petitioner and Petitioner's mother are produced herewith as **Document No.6** and **7.**

28. As the Respondent did not calm down even after the intervention of the landlady, the landlady called up the police and one police officer arrived from Konanakunte Police Station. The Respondent stated in front of the police officer and other neighbors present in the house that she did not wish to stay in her matrimonial home anymore and wanted to leave. She immediately packed up her important belongings and demanded that her jewelry be returned to her. The Petitioner's mother handed over the jewelry that belonged to the Respondent in front of the police officer and others present.

29. The Respondent voluntarily left the matrimonial house with all her belongings including her jewelry in front of the police officer and neighbours. At this juncture, the Petitioner, despite the assault on him and his mother, did not file any complaint against the Respondent because he hoped that he would be able to resolve the issue amicably once the Respondent had sobered up the following day. Despite his hopes of saving his marriage, on the same night the Respondent called him up several times after leaving the house and abused him. The Respondent also told the Petitioner that while she was drinking at the club that night, i.e. 08.03.2024, she had kissed another man. She also made several disparaging comments on the physical appearance of the Petitioner and told him that she will ruin his life and make his life hell.
30. Due to the incident at the matrimonial house on 08.03.2024, the landlady asked the Petitioner to vacate the house within one month. The Petitioner had to vacate the house and look for alternate accommodation with great difficulty.
31. On 10.03.2024, hoping to resolve the dispute amicably with the help of the Respondent's parents, the Petitioner invited them to Bangalore. During the meeting, the Respondent and her family admitted to the wrongdoings of the Respondent and parties agreed that the Petitioner and the Respondent would take a few days to decide upon the future of their marriage.
32. A few days after thinking over the matter, the Petitioner decided that it was not possible to continue living with the Respondent due to the cruelty meted out by her towards the Petitioner and his mother and risk to the physical safety of the Petitioner and his mother. Thereafter, the Petitioner invited the Respondent and her family members to inform them of his decision and to amicably part ways.
33. The parties met on 07.04.2024, along with their families. In the said meeting the Petitioner informed the Respondent about his decision. The Respondent and her family sought time to think

about this for a while. However, immediately the Respondent became very aggressive and abused the Petitioner and hurled abuses of the Petitioner's mother to the Petitioner. Thus, the Petitioner and his mother went to the police station along with his relatives and explained the event which transpired on the night of 08.03.2024. The police asked the Petitioner's mother to lodge an official complaint regarding the assault suffered by her on 08.03.2024. Accordingly, the Petitioner's mother filed a complaint and got NCR registered against the Respondent. The NCR is produced herewith as **Document No.8.**

34. Thereafter, the Respondent approached the Basavangudi Women's Police Station and the Respondent along with the Police have continuously called all the family members of the Petitioner and threatened them to appear before the Police Station by falsely stating that a complaint is registered against the Petitioner and other family members, but till date, the Petitioner or his family members have not received any official communication or notice from the Police, but, they have received several calls from the Respondent. Respondent made the misadventure of going to the Petitioner's workplace and demanded to meet him and hurled abuses in his office despite him being absent and the office staff not entertaining personal matter in the office premises.

35. The Respondent has been tarnishing the reputation of the Petitioner by calling up his friends and spreading a concocted story about the incident that took place on 08.03.2024 and has said that she has a long line of suitors and she can easily move on.

36. The Respondent has been extremely unstable, cruel, abusive and controlling during the course of the marriage. The following are some of the most prominent traits and behaviours displayed by the Respondent, which have caused severe emotional and psychological trauma to the Petitioner:

a. *Rash, Volatile, and Unstable:* The Respondent's behavior was marked by rash and volatile actions, rendering her emotionally unstable.

- b. Vicious, Hateful, Malicious, and Vindictive: The Respondent displayed cruelty, hatefulness, malice, and vindictiveness, which created an extremely hostile environment within the marriage for the Petitioner.
 - c. Extreme Insecurity: The Respondent's deep-seated insecurities and need to control were a constant source of tension in the marriage.
 - d. Callousness: The Respondent exhibited a callous attitude towards the Petitioner's feelings and well-being and even her own career.
 - e. Jealousy: The Respondent was excessively jealous and possessive, leading to unwarranted conflicts and arguments. The Respondent never allowed even the Petitioner's mother to spend time with the Petitioner which caused him mental agony. The Respondent wanted the Petitioner to separate from his mother and leave the mother in an old age home.
 - f. Anger and Unpredictability: The Respondent frequently displayed fits of anger and unpredictability, making the environment within the household highly volatile for both the Petitioner and his mother.
 - g. Unnecessary Exaggeration and Escalation: The Respondent had a propensity for unnecessarily exaggerating and escalating trivial issues into major disputes.
 - h. Abusive Behaviour and Constant Lying: The Respondent engaged in abusive behaviour towards the Petitioner and was constantly untruthful about various matters.
37. The above narration of facts clearly shows the abusive, reckless, insecure, egoistic, destructive and stubborn attitude of the Respondent and the manner in which the Petitioner has undergone mental, physical and financial cruelty and harassment by the Respondent. The Respondent's short-tempered, abusive, and erratic behaviour towards the Petitioner for no rhyme or reason has been the main reason which has resulted in the absolute breakdown of the marriage between the Petitioner and Respondent. The Respondent has also been negligent towards her familial duties as a wife and daughter-in-law.

38. The Petitioner, having walked out of the marriage, clearly indicates that she has no remorse or regret for any or all of her abusive acts. The Petitioner submits that he cannot live with the Respondent any further since he has undergone a lot of trauma and abuse in this marriage and he is terrified for his mother safety if left alone with the Respondent. Under these circumstances, the Petitioner is left with no other alternative but to seek for judicial separation and end the continuous physical and mental cruelty meted out by the Respondent since their marriage.
39. The cause of action for this petition arose on 28.11.2023 when the Petitioner and Respondent solemnized their marriage; on 16.12.2023 when their marriage was registered; on 08.03.2024 when the Respondent walked out of the matrimonial house; on all such occasions and days when the Respondent physically, verbally, emotionally, financially and mentally harassed and abused the Petitioner and his mother.
40. The Petitioner is residing in Bangalore at the address mentioned in the cause title. The matrimonial home of the parties was also in Bangalore. The marriage between the parties was registered in Bangalore. The Respondent also resided in the matrimonial house until 08.03.2024, when she walked out of the same. The Respondent currently resides both at Kolhapur with her parents and Bangalore with her younger sister. However, the Petitioner does not have the Bangalore address. Hence, it is submitted that this Hon'ble Court has the jurisdiction to try and decide this petition.
41. The Petitioner has not filed any other petition, suit or initiated *any other proceedings* before this Hon'ble Court or any other Courts/Tribunals on the same or similar cause of action.
42. A court fee of Rs. 100/- is paid under Schedule II, Article 1(1) of the Karnataka Court Fees and Suit Valuation Act.

PRAYER

The Petitioner above named respectfully prays that this Hon'ble Court may be pleased to:

- (a) Pass a judgment and decree for the judicial separation of Petitioner and the Respondent in respect of their marriage solemnised on 28.11.2023, and registered on 16.12.2023; and
- (b) Grant such other relief/s, as this Hon'ble Court may deem fit, in the interest of justice and equity.

Place: Bengaluru

Date:

Petitioner

Advocate for Petitioner

VERIFICATION

I, Diwaker Bagri, the abovenamed Petitioner, do hereby solemnly affirm and verify on this the 15th day of April 2024 at Bangalore that the averments made from paragraph 1 to 42 above are true and correct to the best of my knowledge, information and belief and nothing material has been concealed therefrom.

Place: Bengaluru

Date: 15/04/2024

Petitioner



Adv. R. R. Kad-Deshmukh & Associates

Unit No. 103, Om Co-op. Hsg. Soc. Near Circuit House,

Kadamwadi Road, E-Ward, Kolhapur-416 003

Mob. 8888171234 E-mail : advrrkadshemukh@gmail.com

Ref. No.

Date : 17/05/2024

Notice R.P.A.D.

To,

Diwaker bagri

r/o : T8 and T9, Third floor, gem plaza, 66,
infantry road, tasker town, shivaji nagar,

Bengaluru, Karnataka - 560001

phn no. : 7010538319

subject : legal notice

Sir,

under instructions and on behalf of my Client Chanak Diwaker Bagri, residing at F 4, Aarith apartment, Karande mala, behind circuit house, Kolhapur-416003, I have to address you as under :

1. My client states that, you and her met on dating app named Hinge. You and her met for the first time on 16th December 2022 in bangalore. As you both were in love and started spending more time together; you both decided to get married by parents approval. In April 2023, you and your mother visited my client and insisted to think ahead and get married soon. Then my client's parents came to stay at her place in may 2023, they met you and impressed by your nature.



- 43
29 APRIL 2024
PPF / DEPT / APPL / 1994
2. In June 2023, you and my client arranged meeting of both families at a café and discussed about your wedding. After that on 29th June 2023 you both got engaged and got married on 28th November 2023 accordingly. My client states that, you and her tied knots on 28th November according to Hindu custom and traditions at Maharani Lawns, Kolhapur. All wedding expenses were on my client.
 3. All the wedding functions were held happily and everyone enjoyed the function and post marriage rituals.
 4. My client states that, on the wedding night, she got surprised as you and your family immediately started demanding whatever gifts and jewellery etc. your relatives gave to her on their post and pre marital rituals. My client's family members were also surprised to see this but all kept quiet and followed all the instructions without any arguments.
 5. My client states that, on 7th December 2023, you and her went out for 2 days for a change before your birthday. There my client met her old friend but you started doubting and questioning her and started abusing her and used bad words. And then you got furious when she spoke to that friend in your presence. Though, you started creating a scene and broke her phone and slapped her unnecessarily. That time when my client confronted you and apologize without any fault and promised you to not to talk any male friend in the future, then only you got calm.
 6. My client states that, days later, your mother started complaining regarding her and her schedule to you. And started giving bad words to her as her parents did not taught her any manners and all. Even though you just nodded your head and took your mother's side and warned my client that she has to live in your house according to your mother's will otherwise she will face consequences. Though my client stood calm as she wanted to have peaceful life with you.
 7. My client states that, you both planned a holiday for nearly 15 days. When you both from your holidays, your mother started giving taunts again to her and that's why they both had a verbal argument. Due to which your elder sister came from Chennai and sorted out the matter. But that incident

started affecting your relationship. Your mother did not stop there, she again started interfering in between you and her and started threatening her that she wants to get remarried you with a woman she fixed. Hence, it seems that, she always disliked my client as her daughter-in-law and never cooperated her but only created issues of the small matters and then accusing my client for disturbances in your house.

8. My client states that, you and her left for Chennai to attend a wedding of your friend on 26th January 2024, on 28th January 2024, you and her went to a restaurant to meet your nephew. But then you left my client and your nephew at a restaurant and you went out to call your friends. After sometime when your nephew and her tried calling you, you did not respond any of their calls. After an half an hour, you called her back. When she asked you about your whereabouts as she was very worried for you. But you got angry and you went out of anger, you started throwing food and chairs at that restaurant and only responded by creating public nuisance.

Moreover, in out of anger you slapped my client in public and harassed her mentally and physically. You only stopped when your friends intervened and my client begged you to stop that. Even after apologizing, you stopped talking with my client and eventually on 31st January, you texted her and then you both met again and sorted out the things.

9. My client states that, post few days, your mother indirectly accused her of theft of your mother's cupboard keys during mid February when she was leaving for Chennai. But later when maid came, she helped her finding the keys and found them in your mother's suitcase beneath her clothes. My client felt very bad but ignored that as she does not want to disturb you mentally.

10. My client also states that, when she was alone at the house, she realized that food items were kept inside a small cupboard which was locked with the things we needed daily including tea packets and basic food. When my client told you about this, you ignored her and did not respond. Your mother came back on 4th March 2024 and started creating problems in everything my client did. Then on 6th March 2024, your mother started

complaining again started saying that " my client cooks tasteless food, didn't know how to do anything, keeps house and room dirty , do not come out of the room because she had something to hide etc.". That night my client overheard the conversation between you and your mother and went on terrace as she was feeling low and called her mother to tell the conversation she heard. But her mother told her to ignore this as well to have peaceful life with you.

11. My client states that, later in the afternoon, she asked you if you both could go out somewhere. You agreed. While returning back she asked you if she can wear the necklace for festival which was given by your maternal grandmother on your wedding. The next day on 7th march 2023, your mother also promised my client to give the jewellery piece that she asked for. When your mother started removing jewellery, she asked you to come there and search for it. Then she brought the bangles instead of neckpiece. But when my client asked for neckpiece to which you mother replied rudely while firmly locking the door of the cup board that she will ask her daughters first as she was suspicious of my client for theft. And then within five minutes started shouting that she was not able to find bangles. My client asked you both if she could help you all to search or check again, then you both replied rudely and denied her. And then you replied angrily, " can't you see how worried we are but you only care about jewellery, nothing here is yours". Though as you both were not in good state of mind . my client took one step back.

Later that night when my client's sister went to the room to check on you, she found that you were trying to show her that you are hurting yourself with the keys and then locked the door on her face, when my client heard the voice of door lock, she found that you were holding her dupatta and trying to commit suicide but stopped because my client intervened you by knocking the door continuously.

12. On next day on 8th march 2024, when my client along with her sister came back home , she found that the second main wooden door was locked which had never been locked since your marriage in past 10 months. No one had the keys to that door except your mother. She always forbids



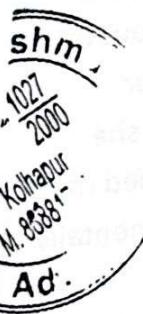
13. The next morning, when my client informed her parents about the incident. Her parents came to visit you to sort out the things. But you asked them to meet at the café instead of your home which was very weird. In that meeting you and your family blamed my client only and pointed out everything that had happened from the beginning and concluded that things needed to be settle down and gave 15-20 days to rethink and discuss what needed to be done. Then your brother in law asked my client's father to sort out all misunderstandings and assured this will not be repeated.

14. During 16th march 2024 to 28th march 2024, everything was going well between you and your families. But when on 29th march 2024, my client's parents called your elder brother in law; he said, "I will call you later and let you know when are we picking your daughter to her husband's house". On 31st march 2024, you and your family asked my client's family to come Bangalore for meeting. When you all met there, you denied to take back her home as you wanted to broke all contact with her as you have decided to put an end to everything. Then my client denied to leave you as she wanted to live with you for her whole life and don't want to separate from you.

15. My client states that, she begged you to rethink your decision to relive together, but you deliberately and forcefully bought all luggage in tempo and forced her pick up the bags.

16. Later that incident, my client filed police complaint at Banashankari women's police station. The police handed over the notice to my client to hand over to you. When my client came to your house, she found that you had changed the house. My client tried calling you multiple times but did not responded to any call. But then you received the call from police and told them that you are not able to come today to collect notice, so you will collect that notice tomorrow. On next day my client and her father came for counseling as per informed by police incharge. At 11 30. But found out that there was nobody present from your side. Then police incharge from that station tried calling and asked you to come over there but you refused and ignored their call as well.

17. My client states that, You are very arrogant and egoistic person. Till date you have only harassed my client mentally, financially and physically in



everyone to lock that particular door so that no inconvenience happens to those who are outside. She knocked that door for 15 to 20 minutes when she came back to which your mother replied that she was taking bath at around 3-4 pm in the afternoon which is very odd according to my client. So my client informed you about this incident and told you that your mothers ill and aggressive behavior. Then you asked her to met at restaurant to clear our things

When my client met you at the address you sent, you was already drunk and started shouting as soon as my client came there. You started shouting and created a public nuisance and left my client all alone at night in that restaurant and went home. When my client came back home that wooden door was locked which was very suspicious for my client. When my client called you to open that door asked the reason behind locking that main door. You in heat of anger, slapped my client and pushed her out of the house asked her to leave your house immediately. And then your mother came in between and asked the same to leave the house as she wanted to remarry you with the women who will obey her and pushed my client out of the house. This is how you all have harassed my client mentally and physically.

My client states that, your mother didn't even stopped there, she started shouting and called the neighbours saying that my client attacked her which was false allegation and then called the police as well to create unnecessary scene at the night as your mother always wanted to get rid of my client. When police came, they also asked my client if she wanted to file complaint to which she denied as it is family matter and did not wanted to create scene. Even your mother threatened my client by saying that, "if you stayed here, I will give poison to my son and die myself". As it was all planned by you and your mother. You both gave her all her belongings and asked my client to return the engagement ring and mangalsutra along with all other things which was given by you in front of police, then and there only. And this is how you both thrown out my client out of the house that night and mentally harassed her.



every other way possible. You and your mother have always threatened her to thrown out of the house and finally you have done it. You always took advantage of my client's calm nature, you have been tortured her mentally and physically.

18. According to my client, You have always seized on any minor reason and made a fuss over it. also, you have always doubted her for no reason by imagining something that did not actually happen and was not even likely to happen. Even if my client refused to listen, you would repeatedly insulted her in front of everyone or tried to beat her occasionally. Directly and indirectly, there was a demand of money and gifts from your side. When your demands have not completed by my client and her family, started quarrel and harassed my client on every small thing intending to compliance of said demands.

19. As you have refused to cohabit with her and stopped picking up her calls, she thought everything will be okay when your anger calms down. My client still has hope and she is waiting for your call to pick her up from her parental house. However, despite repeated contact with you, neither you nor any of your family have tried contacted her. Therefore, you deliberately cut off contact with my client and that's how you are harassing her mentally.

20. Thus, in this way, you have deserted and abandoned my client without any fault. You have deliberately broken all contacted with my client as you intention is to torture her mentally and physically for the compliance of your monetary demands.. Also you do not care or aware of the conditions under which my client is living or how she is managing her expenses these days. She has not fully recovered from the shock that you have abandoned her and changed your address and broke contact with her.

21. Due to your irresponsible behavior my client and her family is facing financial, mental and physical hardships.

22. My client and her family have tried every other way to make you understand, but you love your ego and do not want to understand and just accusing and blaming my client without any reason.

R.K.
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23. In addition to this, even after informing you, you are deliberately harassing my client mentally in various ways with the intention of causing mental suffering.
24. My client has still hope that you still love her and will ready to accept her as your wife, she does not want to make any complaints, accusations or allegations against you. So concealing some things that have had happened before, my client is ready to forget everything which has happened before as she only wanted to relive and cohabit with you and wanted to start new marital life without any conditions.
25. In the aforesaid circumstances you are call upon behalf of my client is hereby informed you that
- From the receipt of the said notice, without any condition, you should take her to your domestic house and you should live and co habit my client and stop torturing mentally and physically within a period of 15 days from the date of received this notice to you, Failing which my client will adopt suitable criminal as well as civil proceedings against both of you.
 - The said notice has been given on behalf my client for your misconduct and ill behavior towards her. Therefore, the cost of the said notice rs. 10,000/- is and will remain on you.

Hence, the notice given.

Kolhapur

Date: 17/05/2024

Chanak
 Chanak Diwaker Bagri
 (Chanak M. Agarwal)



R.R. Kad-Deshmukh
 advocate
 R.R. Kad-deshmukh

Sl. No. 08
 Produced on behalf of
 BPF / BEF / APP / RESP
 Date: 22/06/2024

Kw

Dwarka
 Bagzi Chennak



India Post

आमीर भारत
 Dial 18002666868 <Wear Masks,

EM522108657IN IVR:6977522108657

SP KOLHAPUR H.O <416003>

Counter No:1,20/05/2024,14:10

To:DIWAKAR BAGRI,TASKER TOWN SHIV

PIN:560001, Bengaluru G.P.O.

From:ADV R R KAD,KADAMMADI ROAD E

Wt:26gms

Amt:41.30(Cash)Tax:6.30

<Track on www.indiapost.gov.in>



India Post

41

To,
Honorable Police Officer,
Superintendent of Police,
Kasaba Bawada,
Kolhapur, Maharashtra

Subject: Complaint by Smt. Chanak Diwaker Bagri, residing at F-4, Aarith Apartment, Karande Mala, Behind Circuit House, Tarabai Park, Kolhapur.

Honorable Sir,

I, the complainant, got married to my husband, Mr. Diwaker Bagri, on November 28, 2023, at Maharani Lawns, Kolhapur, according to Hindu marriage laws and with the consent of both families. After our marriage, I moved to my husband's house in Bangalore, located in JP Nagar. However, on our wedding night, Diwaker and my mother-in-law began demanding gifts and ornaments, which were given to me by my parents. As it was our first day together, I ignored these requests, but the demands and abusive behavior continued.

On January 26, 2024, I traveled to Chennai with Diwaker to meet his nephew. During this trip, on January 28, 2024, while at a restaurant, Diwaker left me alone, pretending to receive a phone call. Despite repeated attempts by me and his niece to contact him, we received no response. When I finally reached him after half an hour, Diwaker responded abusively

when I expressed concern. He also threatened me and, in a fit of anger, started throwing chairs in the restaurant. He physically assaulted me there, in front of everyone, causing me great distress.

Following these events, my mother-in-law continued to mistreat me. She falsely accused me of stealing after she misplaced the keys to the safe and later found them in her bag. Despite these incidents, I endured this treatment to maintain the marriage. I also noticed unusual behavior, such as locking everyday items and groceries in a small cupboard. Upon her return on March 6, 2024, my mother-in-law insulted and threatened to throw me out of the house.

As the festival approached, I requested my necklace from my husband, which my mother-in-law had kept in her closet. Although she promised to return it the next morning, she only gave me bangles. When I inquired about the necklace, she angrily replied that she would need to ask her daughters first. My husband then accused me of theft. That night, Diwaker attempted suicide, and when I tried to intervene, my mother-in-law became angry and threatened to throw me out of the house.

The next day, I noticed that a wooden door in the house, which had never been locked before, was suddenly locked from the inside. My husband invited me to meet him at a hotel, where he was heavily intoxicated. Upon arrival, he verbally and

physically abused me and left me alone in that state. When I returned home, my husband and mother-in-law accused me of being unfaithful and physically attacked me. My mother-in-law even stated that she wanted to arrange a second marriage for my husband with a girl from a wealthy family, saying I was of no use.

During this confrontation, they falsely accused me in front of neighbors and called the police as part of a pre-planned scheme. Despite seeing the scratches and injuries on me, the police dismissed the matter as a family issue. My mother-in-law threatened to harm herself and blamed me, forcing me to leave the house. They also took my mangalsutra and other ornaments, further abusing me mentally and physically.

My parents came to Bangalore when they learned about my situation, attempting to resolve the conflict. However, on March 09, 2024, Diwaker's sister-in-law informed my parents that I needed to leave. On March 31, 2024, we were summoned to Bangalore, where my husband refused to continue the marriage despite my efforts to reconcile. I filed a complaint at the police station, but no action has been taken.

Diwaker was staying in a rented house in Bangalore. My parents provided money for a flat in Bangalore, which Diwaker repeatedly demanded for shopping. When I refused, my mother-in-law taunted me, and both she and my husband continued to harass me physically, mentally, and financially. They have since

left the house without informing me of their whereabouts and are not responding to my calls or messages. My mother-in-law is now seeking to arrange a second marriage for Diwaker.

I have been forced out of the house, beaten, and verbally abused, leaving me mentally and physically traumatized. My jewelry, money, and belongings have been taken from me, and I am now dependent on my parents for support.

I urgently request a detailed investigation into these incidents and that strict legal action be taken against my husband and mother-in-law. Please advise me on how to proceed with this matter and what steps I need to take to file an official complaint.

Thank you for your attention to this matter. I look forward to your prompt response.

Sincerely,
Chanak Manish Agarwal
Kolhapur
23.05.2024

Sd/- Received
Inward Clerk
Police Inspector Kolhapur
7 June, 2024

True Translated Copy



#30, 3rd Floor, 4th Cross,
4th Block, Kumara Park West,
Opp. Jayashree Hospital,
Bengaluru-20.
Mob : 9036841647

E-mail: Pradeep.darak1992@gmail.com

R.R Kad-Deshmukh,
Advocate,
Unit No.103, Om Co-Op Hsg. Soc.,
Near Circuit House, Kadamwadi Road,
E-ward, Kolhapur – 416 003

04/06/2024

S. No. 09
Proceeded on behalf of
PPF / DEF/HAPPARED
22/06/2024 KW

Dear Sir,

We are writing to you on instructions of our Client, Diwakar Bagri, by way of reply to your notice dated 17.05.2024 sent on behalf of Chanak Bagri. Our client is in receipt of your notice and has instructed us to send the following reply.

1. By your notice, you have called upon our client to take Chanak to our Client's domestic house and co-habit with her and stop mentally and physically torturing her. You have called upon my client to take back Chanak within 15 days from the date of notice.
2. At the outset, I would like to state that all the allegations made by your client are false, misleading and far from truth. My Client and his family have been mentally, emotionally and physically harassed, abused and tortured by your Client, which led to our Client filing a petition for Judicial Separation bearing No.2473/2024 before the Family Court, Bangalore. Thus, the question of taking back your Client does not arise. Your Client is well aware of the said proceedings as she is served with court notice of the proceedings and despite the same, she has issued this preposterous notice filled with false allegation against my Client and his family.
3. My Client also states that your Client had voluntarily left her matrimonial house with all her belongings on the night of 08.03.2024, with her sister in front of the police, landlady and the neighbors of my Client where he was earlier residing. Further, your Client left her matrimonial house after

PRADEEP DARAK
BBA.LL.B(HONS.)
Advocates & solicitors



#30, 3rd Floor, 4th Cross,
4th Block, Kumara Park West,
Opp. Jayashree Hospital,
Bengaluru-20.
Mob : 9036841647
E-mail: Pradeep.darak1992@gmail.com

physically attacking and verbally abusing my Client and his mother on the night of 08.03.2024. My Client's mother has also made a complaint and lodged FIR bearing 176/2024 against your Client in this regard. Thus, my Client fears for his and his mother's life and cannot bring back your Client to his house after the said incident.

4. The very fact that your Client wants to return to her matrimonial home shows that she was treated well and there was no abuse or harassment by my Client, or his family members as alleged by your Client. Your Client has realized that she cannot escape her crimes and has created false stories to save her skin.
5. My Client also states that your Client is not stable as she has threatened to commit suicide on several occasions for trivial and insignificant banter between Chanak and Diwakar. Thus, my Client fears that your Client may intentionally commit harm to herself to embroil and trap my Client and his family members into legal proceedings without any fault on the part of my Client or his family members.
6. Your Client left matrimonial house on several occasions before the night of 08.03.2024 and threatened to divorce my Client for trivial issues. However, my Client, out of love and affection, brought back your Client and sorted things between them. However, your Client has now crossed all boundaries by assaulting my Client and his mother and showing her true colors.
7. The averments made in the judicial separation petition filed by my Client before the Family Court, Bengaluru may be read as part and parcel of this reply notice and is not reiterated herein for the sake of brevity. However, our Client wishes to reply to each and every allegation in your legal notice dated 17.05.2024 as hereunder:

8. Re: Para No.1 – In this para, your Client is imputing that the marriage proposal came from my Client's family and that my Client's family insisted on marriage. My Client states that though he wanted to get married to Chanak in due course of time, the pressure and proposal for marriage was from Chanak and her family. Chanak's family insisted on immediate marriage on the premise that her maternal and paternal grandmother was not keeping well, and they wanted their granddaughter married during their lifetime. Chanak had false informed my Client that she was close to her grandmother as she had gone to pub and partied on the next day of her maternal grandmother's death.

9. Re: Para No.2 – The event of engagement and wedding are admitted. However, it is false that the wedding expenses were completely incurred by your Client's family. My Client states that their wedding was a two-day affair. My Client and his family incurred all expenses for accommodation and travel of their family and guests for both the days of the wedding. The expenses for the first day of the wedding rituals and catering was incurred by my Client and the expenses for the second day's joint wedding rituals and catering was incurred by your Client's family. However, all the expenses pertaining exclusively to my Client was taken care by my Client on the second day also. Thus, the wedding expenses pertaining to the wedding were shared between the parties.

10. Re: Para No.3 – As stated supra, your Client's behavior was erratic, short-tempered and unstable as she continuously fought with my Client and found reasons to fight even though there was none. Your Client fought with my Client for two days just before the day of marriage as he could not receive her calls which he had henna on his hands for wedding ceremonies. No

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PRADEEP DARAK
BBA.LL.B(HONS.)
Advocates & solicitors



#30, 3rd Floor, 4th Cross,
4th Block, Kumara Park West,
Opp. Jayashree Hospital,
Bengaluru-20.
Mob : 9036841647
E-mail: Pradeep.darak1992@gmail.com

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BY

sensible person would fight for this reason, but your client did not care for my Client's emotions and fought two days just before the day of marriage.

11. Re: Para No.4 – The allegations that my Client's family asked her to give all pre and post wedding gifts and jewelry is blatantly false. On the contrary, on the wedding night your Client demanded for an "infinity" shaped mangalsutra, which my client could not afford and was unable to buy for her. Thus, your Client broke the mangalsutra gifted by my Client and threatened to break their wedding on the wedding night. Your Client did not care that it was their first night after marriage and that there were guests at home. Your Client insulted my Client by calling him names and hurling abuses and using unparliamentary language for not buying the mangalsutra of her choice.

12. Re: Para No.5 – The allegations made in this para are figments of imagination of your Client as my Client and your Client were at home on 07th Dec 2023. No such incident occurred as stated by you in this paragraph. In fact, on 7th Dec 2023, your Client's mother had visited from Kolhapur and her sister was also staying at my Client's house. Your Client's mother had visited as your Client's sister was unwell and was undergoing treatment. Despite the same, your Client and her mother forced and demanded my Client to take them out for a party on 07/12/2023 leaving behind the unwell sister and my Client's mother at home even though when my client said no, your Client fought with him and went for the party anyway. At any rate on 7th Dec 2023 no such incident happened as alleged by your Client as they had not gone out for two days but only for party with your Client's mother.

13. Re: Para No.6 – The allegations made in this para are false and alleged to only portray my Client's mother in a bad light and impute your Client's

for bby



behavior to my Client's mother. My Client's mother always treated your Client affectionately, respectfully and like her own daughter. To the contrary, your Client treated my Client's mother with spite and refused to help her in any manner. Your client was also putting pressure on my Client to separate from his mother and stay separately. Your Client's dislike towards my Client's mother is also evident from the physical attack on her on the night of 08.03.2024. My Client's mother never said anything to your Client even though she woke up at 11 a.m., regularly drank alcohol and came home late.

14. Re: Para No.7 – The allegations made in this para are false and a figment of your Client's imagination as my Client's mother had never seen any girl for my Client. The parties had gone for honeymoon trip and in between your Client's maternal grandmother, whom she claimed to be very emotionally attached to, had passed away. Despite the same, your Client forced my Client to take her for drinking and partying the next day of grandmother's demise. Your Client had done the exact same thing when her paternal grandmother passed away before marriage. These incidents clearly show how little your Client cares about family and family values and the emotions of others. The averment that my Client's sister came home to sort things out is false. My Client's sister came home only in the 2nd week of January after your Client had gone to her home and threatened my Client to leave him in January 1st week.

15. Re: Para No.8 – The allegations made in this para that my Client slapped your Client is false and on the contrary your Client slapped my Client in front his nephew, friends and other public members who were present at the restaurant. The facts are that the parties had gone to a restaurant called *Arby's*

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"Drive N Eats" in Chennai with my Client's friends and 13 years old nephew. My Client's friends had gone to park the car and my Client, your Client and my Client's nephew were sitting inside the restaurant. When my Client's friends did not come back, my Client went to go look for them. It took him around 10-15 minutes to find his friends and in between that 10-15 mins, your Client called my Client more than 10 times from his nephew's phone. My Client was not able to answer because the phone was on silent mode and finally when he answered, your Client immediately shouted at him by saying that he left her all alone in a family restaurant with more than 50 guests present. Your Client accused him of leaving alone and going out with his friends and used several bad and unparliamentary words having connotation to my Client's mother and sister. Thereafter, when my Client went to the restaurant and confronted her about the language she used, your Client went into rage and started hitting and slapping my Client. Your Client started pushing my Client in front of more than 50 people and only stopped after the intervention of my Client's friends and his nephew. Your Client told him that she slapped my Client because he made her wait for merely 10-15 mins. Two days later, your Client's mother called and apologized for the behavior of your Client and also requested my Client to speak to your Client. Your Client's mother told my Client that Chanak was extremely sorry for her actions in Chennai, and that my Client should forgive and speak to her again. Thereafter, my Client spoke to your Client after two days since your Client apologized.

16. Para No.9 – The allegations made in this para are false as my Client's mother never accused your Client of theft of the cupboard keys. However, the fact that your Client is making false allegations, it appears that your Client may



have been involved in the incident as your Client is accusing my Client and her mother of the actions which were committed by your Client. Your Client may have actually stolen the cupboard keys and made duplicate keys to steal from the Cupboard as Gold bangles were missing from the house. Our Client will take necessary action to find out if your Client was involved in theft of the bangles.

17. Re: Para No.10 - The allegations made in this para are baseless and false.

Your Client never cooked at home and most of the time ordered food from outside. She in fact never contributed to any household work. She was always in her room watching movies and using social media. My Client's mother did all the cooking and household work and despite the same your Client and your Client's mother taunted my Client's mother for being a burden on your Client and her son and suggested my Client's mother to live separately at an old age home. Your Client's mother visited my Client's house almost every month after their marriage and created a hostile environment for my Client's mother.

18. Re: Para No.11 - The statements made in this para are your Client's figment of imagination as no such incident occurred wherein my Client attempted to commit suicide, lest with dupatta. Your Client is again attributing her behavior to my Client as she threatened to commit suicide if my Client did not oblige to her demands. The fact is that the parties had gone out on 7th March night for dinner and your Client had requested my Client to give her the diamond bangles which belonged to his mother for wearing it on Shivaratri festival. On next day when my Client's mother gave your Client the bangles, she lied that she had asked for a necklace as she wanted to keep a 'fast' for Shivaratri festival and when my Client's mother went to get the

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necklace, she found that the gold bangles matching with the same necklace set were missing. Both my Client and his mother were tensed and upset about the missing the bangles. However, your Client was least concerned about the missing bangles and started shouting at my Client for not giving the necklace. Later that night, your Client also threatened to kill herself as my Client and his mother forgot to give her the necklace in the tensed situation due to missing bangles. As stated above, your Client threatened my Client of suicide on several occasions, and this was one such occasion. Your Client used the threats to have her demands fulfilled and your Client's sister also supported your Client in such endeavors.

19. Re: Para No.12 – The averments and allegations in this para are completely false and baseless. Your Client has twisted the facts of the unfortunate event which transpired on the night of 8th March 2024 to suit herself and deliberately created a false narrative to overcome her criminal actions of physically hurting and abusing an elderly woman and her husband. In fact, your Client is lying to such an extent that she has increased the period of marriage from 6 months to 10 months. The event which transpired on the night of 08th March 2024 and early hours of 9th March 2024 is that my Client had gone to his office, and your Client and her sister went for a movie. Since my Client's mother was alone in the house she locked the door from the inside. Later, when your Client came back from movie, she rang the doorbell and my Client's mother opened the door. No such incident as my Client's mother making your Client wait for 15-20 mins or abusing your Client occurred. This is all your Client's figment of imagination. On the contrary, when my Client's mother opened the door, your Client started abusing my Client's mother with unparliamentary words and even called my Client to

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inform him that your Client was leaving the house forever for merely keeping the door locked.

20. After office, my Client had gone to a restaurant and was sitting there alone.

Your Client along with her sister showed up at the same restaurant even though my Client had not informed your Client about his whereabouts. Your Client found out my Client's location by tracking my Client's location on google maps without his consent and knowledge. Your Client was also keeping tab of all his call logs, messages, email, etc. Your Client came to the restaurant and ordered alcohol though she had mentioned the previous night that she was keeping fast for 'Mahashivratri' and had asked diamond bangles for the same. Since my Client was tired, he wanted to go home and asked your Client if she wanted to come home. But your Client chose to stay back and party with her sister.

21. Your Client did not want to come as she wished to party till late night at the

same restaurant. Thus, my Client left the restaurant and went to his house and slept. Your Client and her sister arrived at home around midnight and frantically rang doorbell as the door was locked from inside. As soon as my Client opened the door, your Client started abusing him in a high-pitched voice in the corridor. The words used by your Client were very vulgar and cannot be reiterated. My Client took your Client inside the house to calm her down and to prevent disturbance to the neighbors, however, your client started physically assaulting my Client and scratched all over his face, neck, ear, hand and leg. Thereafter, your Client went to my Client's mothers' room and abused her, and she told her that she was leaving the house and that you may take care of your son all by yourself. When my Client requested your Client to behave, your Client immediately grabbed my Client's collar and

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again started slapping him. My Client's mother intervened and tried to separate the parties, but your Client grabbed my Client's mother by her neck and threatened to kill her. With great difficulty, my Client was able to release his mother from your Client's hands.

- Due the loud noises, my Client's neighbors woke up and called the landlady. The landlady also arrived at home and tried to intervene, but both your Client and her sister abused the landlady and tried to push her out forcefully out of the house. Thereafter, the landlady called Police at the Konanakunte police station. After some time, a Police Officer arrived at home and asked your Client to leave the home immediately. Your Client shouted in front of everyone present that she also does not wish to stay at home and left the home in the night with her belongings. This clearly shows that your Client voluntarily left the home after abusing, physically assaulting and misbehaving with my Client, his mother and the landlady. If your Client was physically abused by my Client as alleged in the notice, why would your Client want to return and stay with such people in such conditions and circumstances. This clearly shows that your Client is making false stories to suit her case.

22. Re: Para No.13 – It is true that my Client's family and your Client's family met at a café after two days to discuss the next steps. Your Client's parents were called at café as your Client and her sister were banned by the Building Association from entering the building for their unruly and aggressive behavior. My Client was also asked to vacate his house within one month by the landlady due to the behavior of your Client towards her. At the said meeting, your Client and her family members accepted your Clients' blunders and even apologized for the same. However, it was agreed that

[Signature]

both the parties will take some time off to think and decide about their marriage.

23. Re: Para No.14 and 15 – The averment that everything was well between the parties from 16th march to 28th march is false and baseless as the parties were not on talking terms. Both parties met on 7th April with their family members. My Client clearly conveyed to your Client that he wants to get separated and cannot live with your Client. Your Client accepted all her mistakes and promised to make amends and requested to get back with my Client. However, my Client was aware that these were false promises as your Client on previous occasions had done the same thing. When my Client refused to take your Client to his house, your Client and her family immediately became very aggressive and abused my Client and his mother. Thus, my Client and his mother went to the konankunte police station along with their relatives and explained the event which transpired on the night of 08.03.2024 and on that day. The police asked my Client's mother to lodge an official complaint regarding the assault suffered by her on 08.03.2024. Accordingly, my Client's mother filed a complaint against your Client based on which FIR is registered against your Client.

24. Thereafter, your Client approached the Basavangudi Women's Police Station and your Client along with the Police had continuously called all the family members of my Client and asked them to appear before the Police Station by falsely stating that a complaint is registered against my Client, but till date, my Client has not received any official communication or notice from the Police. Your Client also went to my Client's workplace and demanded to meet him and hurled abuses in his office despite him being absent and the office staff not entertaining personal matter in the office premises.

[Signature]

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25. Re: Para No.17 and 18 - The allegations made in these paras are false and created by your Client for serving her purpose of filing false case against my Client. The question which arises is why your Client would want to cohabit with my Client despite facing all this alleged abuse and mistreatment at the hands of my Client and his mother. The very fact that she wants to desperately cohabit with my Client shows that all the allegations are false and figment of imagination of your Client.
26. Re: Para No.19 to 25 - All allegations made against my Client in these paragraphs are denied. It is clear from the above that your Client voluntarily left her matrimonial home and was not abandoned by my Client. However, having regard to your Client's past behavior and the threat which she poses to my Client and her family members, my Client refuses to bring back your Client. My Client calls upon your Client to amicably bring an end to the marriage and not to harass my Client and his family members.
27. In the light of the foregoing, we trust that you will advise your client not to institute any ill-advised proceedings against my client, as indicated in your notice. If, however, your client was to persist, our clients would have no option but to defend the proceedings, holding your client liable for all costs. Your Client is also liable to pay Rs.25,000/- towards cost of this reply notice.

Yours faithfully,

(PRADEEP DARAK)

Case Status : Search by Case Number

This form needs JavaScript activated to work.

- [Case Number](#)
- [FIR Number](#)
- [Party Name](#)
- [Advocate Name](#)
- [Case Code](#)
- [Act](#)
- [Case Type](#)

All fields marked with * are required

Please select radio button

Court Complex Court Establishment

Court Establishment *

--Select Court Establishment--

Case Type

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Case Number *

Type Case Number

Year *

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[Audio](#)
[Refresh](#)

Chief Judicial Magistrate , Kolhapur

Serial Number	Case Type/Case Number/Case Year	Petitioner versus Respondent	View
1	PWDVA Appln./100/2024	Chanak Diwaker Bagri Versus Diwaker Ramesh Bagri	View

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Chief Judicial Magistrate Kolhapur

Case Details

Case Type	Filing Number	Filing Date	Registration Number	Registration Date	CNR Number

Case Type	Filing Number	Filing Date	Registration Number	Registration Date	CNR Number
PWDVA Appln. - Application under Domestic Violence Act	9837/2024	25-06-2024	100/2024	28-06-2024	MHKO030098672024

Case Status

First Hearing Date	Next Hearing Date	Case Status	Stage of Case	Court Number and Judge
03-July-2024	19-August-2024	Pending	First Order	41-6th Jt CJJD and JMFC Kolhapur.

Petitioner and Advocate

- 1) Chanak Diwaker Bagri

Advocate - PATIL DHANASHRI KISHOR

Respondent and Advocate

- 1) Diwaker Ramesh Bagri
- 2) Sangita Ramesh Bagri
- 3) Dipti Ashish Lakhota

Acts

Under Act(s)	Under Section(s)
Protection of Women from Domestic Violence Act	sec12, 14, 18, 19, 20

FIR Details

Police Station	FIR Number	Year
Shahupuri Police Station		0

Case History

Registration Number	Judge	Business On Date	Hearing Date	Purpose of hearing
100/2024	6th Jt CJJD and JMFC Kolhapur.	03-07-2024	19-08-2024	First Order

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IN THE SUPREME COURT OF INDIA**CIVIL ORIGINAL JURISDICTION****I.A.NO. _____ OF 2024****IN****TRANSFER PETITION (CIVIL) NO. _____ OF 2024****IN THE MATTER OF :-**

Chanak Manish AgarwalPetitioner
V/s	
Diwaker BagriRespondent

**AN APPLICATION FOR EXEMPTION FROM FILING
OFFICIAL TRANSLATION**

The Hon'ble Chief Justice of India and
His Companion Judges of the Supreme Court of
India.

The humble application of the petitioner abovenamed;

MOST RESPECTFULLY SHOWETH:-

1. This transfer petition is being filed under Section 25 of the Code of Civil Procedure, 1908 for seeking transfer of divorce proceedings being M.C. No. 2473 of 2024 u/s 10 R/w 13 (1) (ia) of Hindu Marriage Act, 1955 filed by the respondent husband before the Ld.

Principal Family Judge at Bangalore titled as “Mr. Diwaker Bagri vs. Chanak Manish Agarwal” to the family court Kolhapur, Maharashtra.

2. Petitioners say that the petitioners are filing the true translation of Annexure P-1, P-2 and P-3, which are in Marathi and Kannada language and the same is translated in English by the competent translator who is conversant with Marathi, Kannada and English.

PRAYER

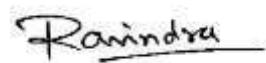
It is therefore prayed that this Hon'ble Court may kindly:

- i. Exempt the petitioners from filing official translation of Annexure P-1, P-2 and P-3 in the present Transfer Petition seeking transfer of divorce proceedings being M.C. No. 2473 of 2024 u/s 10 R/w 13 (1) (ia) of Hindu Marriage Act, 1955 filed by the respondent husband before the Ld. Principal Family Judge at Bangalore titled as “Mr. Diwaker Bagri vs.

Chanak Manish Agarwal" to the family court
Kolhapur, Maharashtra.

- ii. Pass any such other order/orders that this Hon'ble Court may deem fit and proper in the facts and circumstances of this case.

FILED BY :



(DR. RAVINDRA S. CHINGALE)
ADVOCATE FOR THE PETITIONER

NEW DELHI

FILED ON: **25.07.2024**

IN THE SUPREME COURT OF INDIA**CIVIL ORIGINAL JURISDICTION****I.A.NO. _____ OF 2024****IN****TRANSFER PETITION (CIVIL) NO. _____ OF 2024****IN THE MATTER OF :-**

Chanak Manish AgarwalPetitioner

V/s

Diwaker BagriRespondent

APPLICATION FOR STAY

The Hon'ble Chief Justice of India and
His Companion Judges of the Supreme Court of
India.

The humble application of the petitioner abovenamed;

MOST RESPECTFULLY SHOWETH:-

1. This transfer petition is being filed under Section 25 of the Code of Civil Procedure, 1908 for seeking transfer of divorce proceedings being M.C. No. 2473 of 2024 u/s 10 R/w 13 (1) (ia) of Hindu Marriage Act, 1955 filed by the

respondent husband before the Ld. Principal Family Judge at Bangalore titled as "Mr. Diwaker Bagri vs. Chanak Manish Agarwal" to the family court Kolhapur, Maharashtra.

2 The Petitioner says the grounds urged in the Transfer Petition clearly show that the Petitioner has made out a *prima facie* case in her favour and has fair chances of success in the present Transfer Petition. It is necessary in the interests of justice that pending the hearing and final disposal of the present transfer petition, further proceedings in M.C. No. 2473 of 2024 u/s 10 R/w 13 (1) (ia) of Hindu Marriage Act, 1955 filed by the respondent husband before the Ld. Principal Family Judge at Bangaluru, Karnataka, be stayed. In case the interim relief as prayed for is not granted in favor of the Petitioner, the Petitioner will be forced to travel long distances from Kolhapur to Bangalore to attend proceedings and the Petitioner will suffer great hardship and grave irreparable loss which cannot be compensated in terms of money.

Petitioner has to travel to Bangalore from Kolhapur alone. Petitioner cannot travel alone without leaving behind her parents at Kolhapur. Father of the petitioner is working in Dalmia Bharat Sugar and he could not take leave for 2-3 days to attend the court proceedings. The respondent is staying in Bangalore and no prejudice will be caused to the Respondent in case of grant of interim relief in favor of the Petitioner. Perusal of the grounds set out in the Transfer Petition shows balance of convenience also lies in favor of the Petitioner.

PRAYER

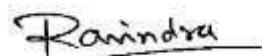
The Petitioner therefore prays:

- a). That pending the hearing and final disposal of the present Transfer Petition, further proceedings in divorce petition being M.C. No. M.C. No. 2473 of 2024 u/s 10 R/w 13 (1) (ia) of Hindu Marriage Act, 1955 filed by the respondent husband before the Ld. Principal Family Judge at Bangalore Karnataka, titled as

“Mr. Diwaker Bagri vs. Chanak Manish Agarwal”, be stayed.

- b). For such other and further reliefs as this Hon'ble Commission may deem fit.

Filed by:



(DR. RAVINDRA S. CHINGALE)
ADVOCATE FOR THE PETITIONER

NEW DELHI

FILED ON: 25.07.2024

IN THE SUPREME COURT OF INDIA
 (CIVIL ORIGINAL JURISDICTION)
TRANSFER PETITION (C) NO. OF 2024

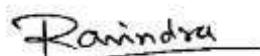
IN THE MATTER OF :

Chanak Manish AgarwalPetitioner
V/s	
Diwaker BagriRespondent

I N D E X

SL. NO	PARTICULARS	Copies	COURT FEES
1.	O/R	1+3	
2.	L/P		
3.	Synopsis and list of dates		
4.	TP With Affidavit		
5.	Annexure P-1 to P-6		
6.	Application for C/D		
7.	Application for O/T		
8.	V/A		
	Total		

FILED BY



[Dr. Ravindra S. Chingale]

Advocate for the Petitioner

Registration No. 2659

Chamber no. 660 Patiala House Court New Delhi

e-mail:- aorchingale@gmail.com

Mob.: 8130507977

Filed on: 25.07.2024

VAKALATNAMA
IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
TRANSFER PETITION (CIVIL) NO. OF 2024

IN THE MATTER

Chanak Manish Agarwal

...PETITIONER/S

V/s

Diwaker Bagri

....RESPONDENT/S

I, the Petitioner in the above mentioned matter, do hereby appoint and retain **Dr. Ravindra S. Chingale**, Advocate Supreme Court of India, to act and appear for me /us in the above mentioned matter reference and on my/our behalf to conduct and prosecute(or defend) or withdraw the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein, including proceedings in taxation and application for review, to file and obtain, return of documents and to deposit and receive money on my/our behalf in the above mentioned matter Reference and in the above matter. I/We agree to ratify all acts done by the aforesaid Advocate, in pursuance of this authority.

Dated this the 19th day of July, 2024

Accepted and Identified and certified

Ravindrachanak(Chanak Manish Agarwal)
Petitioner

(Dr.Ravindra S. Chingale)
Advocate, Supreme Court of India

Ravindra

Identified by:

Dr. Ravindra Chingale,
AOR 2659**MEMO OF APPEARANCE**

To
The Registrar
Supreme Court of India
New Delhi
Sir,

Please enter my appearance on behalf of the Petitioner(s)/Appellant(s)/ Respondent(s)/ Intervenor/ Caveator in the above mentioned matter.

Yours faithfully,

Ravindra

(Dr. Ravindra S. Chingale)
Advocate for the Respondent
Code No. 2659, Chamber No.660, Patiala House Court New Delhi
Phone: 8130507977

Dated: 25.07.2024