

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-1071 of 2015

Date of Decision: January 13, 2015

Sukhwinder Singh alias Sonu

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Satnam Singh Gill, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 407 Cr.P.C. for transfer of case/appeal No.49T/2014 titled as 'Sukhwinder Singh @ Sonu vs. State of Punjab' pending in the Court of learned Addl. Sessions Judge, Patiala to the Court of any other competent Court of law, District Patiala.

I have heard learned counsel for the petitioner have gone through the record.

From the record, I find that the application for transfer of the appeal was filed before learned Sessions Judge, Patiala. Learned Sessions Judge, Patiala vide order dated 10.11.2014 held that allegations levelled by applicant are quite vague and unconvincing and such type of allegations are generally made by a litigant desirous of getting the case transferred from one Court to the other. The Court

also held that it is not the sweet will of a litigant to choose the forum of adjudication of his dispute as per his whims and fancies. The Court further held that there is nothing on the file to show that Presiding Officer has got any favourable inclination towards the complainant party. No Presiding Officer openly proclaims that he/she is going to convict an accused in a case.

The reasoning and findings given by learned Sessions Judge, Patiala are correct and as per record and law. I have gone through the application, which is placed on the record as Annexure P-2. There are general allegations that attitude of the Court was not proper towards him and the Court observed that the applicant will be convicted. As already discussed by the learned Sessions Judge, Patiala, no Court openly proclaims like this in the Court. There is also nothing that Court of Addl. Sessions Judge, Patiala has any inclination towards the complainant side or any prejudice against the accused. The allegations are general and vague in nature.

In view of the above discussion, I find that the order dated 10.11.2014 passed by learned Sessions Judge, Patiala is correct and as per law.

Therefore, finding no merit in the present petition, the same is dismissed.

January 13, 2015
Vgulati

(INDERJIT SINGH)
JUDGE