

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-1775 of 2015

Date of Decision: January 19, 2015

Ranjit Singh through General Power of Attorney Surinder Singh Gill

...Petitioner

VERSUS

Gurmukh Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.M.D.S.Gill, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 407 read with Section 482 Cr.P.C. for transfer of criminal complaint case titled as 'Ranjit Singh vs.Gurmukh Singh', which is pending in the Court of learned Judicial Magistrate Ist Class, Derabassi, to any competent Court at U.T. Chandigarh.

At the time of arguments, learned counsel for the petitioner argued that the present complaint has been filed through General Power of Attorney Surinder Singh Gill, who is suffering from cancer and it is difficult for him to go to Derabassi. No other ground has been given for transfer of the case.

After hearing learned counsel for the petitioner and after going through the record, I find that Derabassi is close to Chandigarh.

If a person can go to the Courts at Chandigarh to pursue the case as General Power of Attorney, then he can also, with less than half hour drive, go to Courts at Derabassi. Only on this ground, no case is made out for transfer of the case from learned JMIC, Derabassi to competent Court at U.T. Chandigarh. Otherwise also, if the complainant (GPA) is suffering from any disease, he can ask for exemption on some dates, which trial Court may consider or the main complainant can give the attorney to someone else.

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

January 19, 2015
Vgulati

(INDERJIT SINGH)
JUDGE