

CrI. Misc. No. M-20875 of 2015

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CrI. Misc. No. M-20875 of 2015
Date of decision: 21.07.2015

Poonam Singla

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

- 1) Whether Reporters of the local papers may be allowed to see the judgment ?
- 2) To be referred to the Reporters or not ?
- 3) Whether the judgment should be reported in the Digest ?

Present: - Ms. Ruchi Sekhri, Advocate,
legal aid counsel for the petitioner.
Mr. K.S. Sidhu, DAG, Punjab.
Mr. J.P.S. Chadha, Advocate, for respondents No.3 and 4.

PARAMJEET SINGH, J. (ORAL)

Instant petition has been filed for transferring the case titled 'State v. Dr. Arvind Singla and others', pending in the Court of Chief Judicial Magistrate, Patiala, to any other Court of competent jurisdiction and setting aside the order dated 06.06.2015 passed by learned Sessions Judge, Patiala, whereby application moved by the petitioner for transfer of the case, has been dismissed.

Learned counsel for the petitioner contends that although the petition is not happily worded nor proper pleadings were raised before the learned Sessions Judge, learned Sessions Judge has dismissed the application of the petitioner by merely recording that earlier the case of the petitioner was transferred to the Court of learned Chief Judicial Magistrate by order dated 08.01.2015 of this Court passed in CRM-M-

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10122 of 2014, therefore, he is not competent to transfer the case. Learned counsel further submits that another case of the petitioner, titled 'Poonam Singla v. Dr. Arvind Singla' is pending in the Court of Sh. Sukhwinder Singh, Judicial Magistrate Ist Class, Patiala, therefore, case titled 'State v. Dr. Arvind Singla and others' pending in the Court of CJM, Patiala, may also be transferred to the Court of Sh. Sukhwinder Singh, JMIC, Patiala.

Apparently, there can be no choice of the litigant to choose the Court according to his/her wishes or scandalize the judiciary merely by saying that Judicial Officer is observing something in open Court.

Be that as it may, without commenting upon the pleadings, just to expedite the trial and so that both the cases could be heard together, case titled 'State v. Dr. Arvind Singla and others' pending in the Court of CJM, Patiala, is ordered to be transferred to the Court of Sh. Sukhwinder Singh, JMIC, Patiala. Chief Judicial Magistrate, Patiala, shall send the case file to the Court of Sh. Sukhwinder Singh, JMIC, for the date fixed and intimation shall be given to the counsel for the respondents.

It is made clear that petitioner shall not be entitled to move transfer application time and again without any definite pleadings and specific grievance against the officer concerned.

Disposed of.

(Paramjeet Singh)
Judge

July 21, 2015
R.S.