

In the High Court of Punjab and Haryana at Chandigarh

CRM M-23530 of 2015
Date of Decision: July 22, 2015

Manjinder Kaur

... Petitioner

Versus

Gurpreet Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: Mr. Ravi K. Mattoo, Advocate,
for the petitioner.

Paramjeet Singh, J. (Oral)

Instant petition has been filed under Section 407 of the Code of Criminal Procedure (hereinafter referred to as the 'Code') for transfer of the petition filed under Section 125 of the Code from District Kaithal to District Patiala.

Learned counsel for the petitioner contends that petitioner has changed her residence, so she is entitled for transfer of her case from District Kaithal to District Patiala.

I have considered the contention raised by learned counsel for the petitioner and perused the record.

The petitioner herself filed a petition under Section 125 of the Code before learned Judicial Magistrate First Class, Guhla mentioning her address as “resident of Cheeka, Tehsil Guhla, District Kaithal. Now, the

petitioner is seeking transfer of her case only on the ground that she has changed her permanent residence from District Kaithal to District Patiala. The contention of the petitioner cannot be accepted on the face of it. Learned counsel for the petitioner has failed to point out under what circumstances, petitioner has changed her residence. Merely on the change of residence during the pendency of the proceedings, case cannot be transferred.

In view of above, no ground for transfer of the case is made out.

Dismissed.

July 22, 2015
vkd

[Paramjeet Singh]
Judge