

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-33142 of 2015

.....

Date of decision:28.9.2015

Surinder Singh

.....Petitioner

v.

Nirmal Rani

.....Respondent

....

Present: Mr. Vikasdeep Singh, Advocate for the petitioner.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 407 Cr.P.C. read with Section 482 Cr.P.C. praying for transfer of application dated 16.7.2015 (Annexure-P.1) filed under Section 125 Cr.P.C. from the Court of Sub Divisional Judicial Magistrate, Guruharsahai, District Ferozepur to any other competent Court at any other place.

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

Learned counsel for the petitioner has argued that the petitioner is feeling threat while appearing in the Court at Guruharsahai.

From the record, I find that there is no cogent ground for transfer of the application filed under Section 125 Cr.P.C. The convenience of the husband is not to be seen. Secondly, the petitioner is not to appear on each and every date. He can appear in the Court through his counsel. In the application filed under Section 125 Cr.P.C. he is to appear only on one date

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for giving the evidence. Otherwise also, mere averment made in the petition that abuses and threats were given to him outside the Court by the respondent's family is not supported by any cogent document. Neither DDR has been got registered nor there is anything that the matter was reported to the Court on that day. Even the particulars have not been given on which date this occurrence regarding abuses, threats etc. took place.

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

September 28, 2015.

(Inderjit Singh)
Judge

hsp