

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

CRM-M No.34621 of 2015

Date of decision : 08.10.2015

Rakesh Kumar and ors.

...Petitioners

Versus

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Amit Dhawan, Advocate for the petitioners.

JITENDRA CHAUHAN, J. (Oral)

The transfer petition has been filed under Section 407 read with Section 482 of the Code of Criminal Procedure (for short 'Cr.P.C.') for transferring of case FIR No.63, dated 29.07.2012 registered under Sections 406, 498-A of the Indian Penal Code (for short 'IPC') in which offence under Section 313 IPC was added later on, at Police Station Lambra, District Jalandhar from District Jalandhar to any other District either Ludhiana or Kapurthala.

2. It is contended that the brother of the complainant-respondent No.2 is a practicing Advocate at District Court Jalandhar and sister in law of the complainant is working as Public Prosecutor at

District Court Jalandhar. Therefore, there is apprehension that they will influence the final outcome of the case. In these circumstance, for the complete justice and for fair trial, case may be transferred from District Jalandhar to District Ludhiana or Kapurthala.

3. Heard.

4. The learned counsel has not been able to place on record any relevant evidence which shows that the brother and sister-in-law of the complainant have interfered in the proceedings pending against the petitioners before the trial Court. The ground taken by the petitioners in this petition for transfer of case from District Jalandhar to District Kapurthala or Ludhiana is not sustainable in the eyes of law.

5. Accordingly, the transfer petition is dismissed.

08.10.2015

ashok

(JITENDRA CHAUHAN)
JUDGE