

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-43230 of 2013 (O&M)
Date of decision: 17.3.2015

Harpreet Kaur and another ...Petitioners

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: None for the petitioner.

Mr. Ankur Jain, AAG, Punjab.

Mr. P.S. Mattewal, Advocate for respondent No.2.

Rajan Gupta, J. (oral)

This is a petition under section 407 Cr.P.C. seeking transfer of trial pending before Judicial Magistrate 1st Class, Rupnagar, pursuant to FIR No.168 dated 27.11.2012, registered under sections 342, 323, 504, 506, 120-B IPC at Police Station City Rupnagar, from District Rupnagar to District Ludhiana.

At the outset, learned State counsel points out that challan has not been presented against accused No.1. According to him, petitioner No.2 has not made out any ground for transfer of the trial from one district to another.

Learned counsel appearing for respondent No.2 made submissions on similar lines.

Heard.

Petitioners have sought transfer of the trial, mainly on the ground that it is inconvenient for accused/petitioner No.2 to travel from Ludhiana to Rupnagar on each and every date of hearing. Besides, they are

likely to face threat to their life and liberty in District Rupnagar. I am of the considered view that ends of justice shall be met if personal appearance of petitioner No.2 is exempted except on the dates it is necessary. Resultantly, petition for transfer of the trial is hereby dismissed. It is, however, directed that in case an application is moved by petitioner No.2 for exemption of her personal appearance, the same shall be considered by the trial court. It may exempt her personal appearance and allow her to appear through her counsel, except on the dates when her presence is necessary.

(RAJAN GUPTA)
JUDGE

17.3.2015
'Rajpal'