

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.M-42468 of 2014

.....

Date of decision:21.12.2015

Gurmeet Singh

.....Petitioner

v.

State of Haryana and another

.....Respondents

....

Coram : Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Roopak Bansal, Advocate for the petitioner.

Mr. P.K. Jhanda, Assistant Advocate General, Haryana for
the respondent-State.

Mr. Brij Mohan, Advocate for Mr. S.S. Sarwana, Advocate for
respondent No.2.

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Inderjit Singh, J.

This petition has been filed under Section 482 read with
Section 407 Cr.P.C. for transfer of the trial of case FIR No.66 dated
5.8.2012 registered at Police Station Siwan, Kaithal, Haryana for the
offences under Sections 406 and 420 IPC and Section 24 of the Immigration
Act pending in the Court of Judicial Magistrate Ist Class, Guhla to some
Court outside the State of Haryana.

Notice of motion has been issued in this case.

Mr. P.K. Jhanda, learned Assistant Advocate General, Haryana
has put in appearance on behalf of respondent-State and Mr. Brij Mohan,
learned counsel has appeared for respondent No.2 and contested this

petition.

I have heard learned counsel for the petitioner as well as learned Assistant Advocate General, Haryana and learned counsel for respondent No.2 and have gone through the record.

At the time of arguments, learned counsel for the petitioner mainly argued that the petitioner is feeling threat from the Police officials, who had demanded the bribe from him and FIR was got registered against them. Learned counsel for the petitioner argued that when the petitioner will appear in the Court at Guhla, the petitioner will feel the threat from those Police officials.

Keeping in view the facts and circumstances of the present case and the fact that no allegations are levelled against anyone in the Courts etc. and the only problem is that the petitioner is feeling threat from the Police officials, therefore, on this ground the trial cannot be transferred out of the State of Haryana. If the petitioner is feeling any threat from the Police officials or anybody else, then the remedy lies with him is to file an application before the trial Court regarding the same and the trial Court will consider the same for the purpose of providing security, if satisfied that the threat is genuine. The trial Court can also get the matter inquired from the senior Police officers etc.

Therefore, with this observation, finding no merit in this petition for transfer of the case, the same is dismissed.

December 21, 2015.

(Inderjit Singh)
Judge

hsp