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

CRR No.4290 of 2015

Date of decision: November 05, 2015

Tarsem Lal

.....Petitioner

Versus

Sumeet Mahna and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. P.K. Longia, Advocate
for the petitioner.

SABINA, J

Petitioner has filed this petition challenging the order dated 12.10.2015.

I have heard learned counsel for the petitioner and have gone through the record available on the file carefully.

Respondent No.1 had filed complaint under Sections 420, 463, 464, 467, 468, 471 and 120-B of Indian Penal Code, 1860 ('IPC' for short) against the petitioner and respondents No.2 to 4. Respondent No.1 led his preliminary evidence in support of his case. Petitioner and respondents No.2 to 4 were summoned to face the trial under Sections 420, 467, 468, 471 read with Section 120-B IPC. Thereafter, respondent No.1 led pre-charge evidence.

Trial Court vide order dated 03.02.2012 ordered the discharge of the petitioner and respondents No.2 to 4

and consequently, the complaint filed by respondent No.1 was ordered to be dismissed.

Aggrieved against the said order, respondent No.1 preferred a revision petition. Petitioner moved an application for transfer of the revision filed by respondent No.1 from the Court of Rakesh Kumar Gupta, Additional Sessions Judge, Jalandhar.

While dismissing the said application, vide the impugned order dated 12.10.2015, the learned Sessions Judge has held as under:-

“6. Both the parties have admitted before this Court that arguments have already been addressed in the revision petition before the court of Sh. Rakesh Kumar Gupta, learned Addl. Sessions Judge, Jalandhar and the case is now fixed for orders.

7. The only allegation levelled in the application is that respondent/complainant Sumeet Mahna has made allegation out of the court room on 26.8.2015 that he has managed the Presiding Officer. The comments of the learned Presiding Officer have been called who has also denied the allegations. Even Sumeet Mahna revisionist has also filed his affidavit and refuted all these allegations.

8. Keeping in view the facts and circumstances of the case, especially that arguments have already been heard, this court is of the considered opinion that the judicial propriety demands that this case be decided by the same court where it is

pending, as such, no case is made out for transfer of the case. Thus, this application is devoid of any merit and the same is hereby dismissed. Parties are directed to appear before the court of Sh. Rakesh Kumar Gupta, learned Addl. Sessions Judge, Jalandhar on the date already fixed thereat. File be consigned to the Record Room."

The reasons given by the learned Sessions Judge while dismissing the application seeking transfer of revision petition, are sound reasons, hence, call for no interference.

Dismissed.

**(SABINA)
JUDGE**

November 05, 2015
mahavir