

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

**CRM No. 6957 of 2015 in/and
CRR No. 442 of 2015**

Date of decision:- March 04, 2015

Mohinder Singh

.....Petitioner...

Vs.

State of Punjab and another

....Respondents...

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Nakul Sharma, Advocate for
Mr. Mandeep Singh Sachdev, Advocate,
for the petitioner.

JASPAL SINGH, J.

CRM No. 6957 of 2015

For the reasons mentioned in the application moved under Section 482 Cr.P.C. accompanied by an affidavit of Mohinder Singh-petitioner, application is allowed and CRR No. 442 of 2015, is pre-poned to be heard today.

The application stands disposed of.

Main case

The present criminal revision has been preferred by Mohinder Singh-petitioner challenging the impugned order dated November 18, 2014, passed by Id. Sessions Judge, Jalandhar, in

CRM No.662 of 2014 titled as **“Mohinder v. State of Punjab”**, vide which, application filed by the petitioner for transferring the Criminal Revision No. 8202 of 2014, from the court of Sh. R.K. Gupta, Additional Sessions Judge, Jalandhar to the Court of Sh. R.K. Sharma, Additional Sessions Judge, Jalandhar, was dismissed.

2. It is an undisputed fact that in case pertaining to FIR No. 332, dated 25.09.2001, under Sections 420, 465, 467, 468 and 471 IPC, registered at Police Station Nakodar, District Jalandhar, Mohinder Singh-petitioner was convicted and sentenced by the Id. Magistrate, vide judgment dated October 21, 2010. He preferred an appeal challenging his conviction and sentence which was entrusted to the Court of Sh. R.K. Sharma, Additional Sessions Judge (Fast Track Court), Jalandhar. Vide judgment dated November 06, 2013, appeal was partly accepted and judgment dated October 21, 2010 was set aside and the case was remanded to the trial court with certain observations. During the pendency of the said case, before the Id. Trial court, an application was moved by Mohinder Singh raising objections with regard to the admissibility of document (Ex.P-1), which was decided by the Id. Magistrate vide order dated August 26, 2014. Against the said order, revision was preferred by Mohinder Singh, which was entrusted to the Court of Sh. R.K. Gupta, Additional Sessions Judge, Jalandhar.

3. Through an application, Mohinder Singh-petitioner sought the transfer of said revision petition to the court of Sh. R.K. Sharma, who was earlier seisin of the matter and had remanded the case to

the trial court. If any, observation has been made or appeared favourable to petitioner-Mohinder Singh in the order whereby appeal was remanded to the trial court that does not mean that the case be again transferred to him especially when he is not dealing with the NRI cases at present. It is not the choice of the party to get his case transferred to a particular court. There is no other allegation against either of the officers, who are dealing with these cases.

3. This Court is of the considered view that there is no cogent reason for the transfer of the revision petition from the Court of Sh. R.K. Gupta, Additional Sessions Judge, Jalandhar to the Court of Sh. R.K. Sharma, Additional Sessions Judge, Jalandhar.

4. Hence, the petition stands dismissed.

**(JASPAL SINGH)
JUDGE**

March 04, 2015
sonika