

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

**CRM No. M-10527 of 2014
Date of decision : 22.11.2016**

Smt. Jaswinder Kaur

....Petitioner

versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Arvind Chauhan, Advocate,
for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

Mr. K.D.S. Sodhi, Advocate,
for respondent No.2.

RITU BAHRI, J.

Prayer in this petition is for transfer of proceedings arising out of FIR No.351 dated 24.04.2011, under Sections 498-A and 406 IPC, registered at Police Station, Model Town, District Panipat, pending in the Court of Judicial Magistrate Ist Class, Panipat, to the Court of competent jurisdiction at Kurukshetra.

The marriage of the petitioner was solemnized with Krishan Lal-respondent No.2 on 12.12.2009 at Kurukshetra a per Hindu rites and rituals. As per petitioner, her in-laws were not happy with the dowry articles given by her parents, therefore, they started harassing and humiliating her

instance.

At the time of registration of FIR in question, the petitioner was residing with her uncle namely Deep Singh at Panipat, who was serving as *granthi* in a Gurudwara. Her uncle, who is a religious person, has to visit abroad from time to time for the purpose of making arrangement for *satsangs* and delivering *parvachan* in the foreign countries. In these circumstances, the petitioner has to shift in her parental home at Kurukshetra and it is difficult for her to go to Panipat to attend the Court proceedings from Kurukshetra. The distance between Kurukshetra and Panipat is about 70 to 80 Kilometers. Moreover, father of the petitioner is posted as Head Constable in Railway Police Forces (RPF) at New Delhi and even he cannot accompany her at District Court, Panipat on each and every date.

On notice, reply on behalf of respondent No.1-State has been filed, wherein this factual aspect has not been disputed. In the reply, it is stated that after presentation of the challan, out of 10 prosecution witnesses, one has been examined and the remaining are still to be examined.

Keeping in view that the petitioner has already shifted to her parental house at Kurukshetra, this petition is allowed and proceedings arising out of FIR No.351 dated 24.04.2011, under Sections 498-A and 406 IPC, registered at Police Station, Model Town, District Panipat, are withdrawn from the Court of Judicial Magistrate Ist Class, Panipat and transferred to the Court of competent jurisdiction at Kurukshetra. The entire record pertaining to the aforesaid proceedings/challan shall be sent by the trial Court at Panipat to the learned District & Sessions

Judge, Kurukshetra, who will entrust it to any other Court of competent jurisdiction.

(RITU BAHRI)
JUDGE

22.11.2016
ajp

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No