

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-32504 of 2014

Date of decision : 28.01.2016

Manisha Ahuja

..... Petitioner

versus

State of Punjab and others

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Shivoy Dhir, Advocate for the petitioner

Ms. Harsimrat Rai, DAG Punjab

ANITA CHAUDHRY, J. (ORAL)

This is a petition filed by the complainant seeking transfer of the criminal case pending in the Court of Patiala to the Court of competent jurisdiction at Ludhiana.

Notice was issued and reply has been by the respondents.

Heard.

An FIR had been got registered on 08.04.2013 under Sections 406, 498-A IPC. This petition was filed in September 2014 seeking transfer of the trial to Ludhiana. The petitioner had claimed that there were serious threats to her life and property and she would have to travel 200 Kms on one day and it was difficult for her to travel. In July 2015, the private respondents had stated that petitioner is not required on each and every date. The petitioner had then contended that she is not financially sound so as to spend for travel and other expenses. Respondent No. 2 had then stated that he had already paid the arrears of maintenance. The order dated 27.7.2015 shows that the trial Court was directed to record the other evidence while statement of the petitioner was directed to be completed on another date.

On 25.08.2015, the petitioner had again stated that she was apprehending threat to her life. She was directed to file application so that Court would provide security on the date when her evidence was to be recorded.

Report of the trial Court has been received. According to which security was provided to the complaint on four dates. It has been reported that her statement has now been recorded. It is a FIR case. The petitioner is not required on each date of hearing and she can be represented through her counsel.

No case of transfer is made out. The petition is dismissed.

January 28, 2016

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**(ANITA CHAUDHRY)
JUDGE**