

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM M-35923 of 2016
DATE OF DECISION: October 5, 2016

Sultan and another

.....Petitioners

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MR.JUSTICE M.M.S. BEDI

Present : Mr. Namit Khurana, Advocate
for the petitioners.

M.M.S. BEDI, J. (ORAL)

By way of this petition, the petitioner seeks transfer of the trial on the ground that during the pendency of the trial when the case was fixed for prosecution evidence, the trial Court has told the petitioners that it would convict them. It is the apprehension of the petitioners that in view of the said circumstances, the trial Judge has disclosed his mind.

At the asking of the Court, the counsel for the petitioners has informed the Court that the case is at the stage of defence evidence and arguments.

After hearing learned counsel for the petitioners and going through the circumstances, it appears that, at this stage, the trial Court has merely to appreciate the evidence in the context of the arguments raised by the counsel for the petitioners.

No ground is made out for transfer of the case. The petition is dismissed.

However, it is expected from the trial Court that it would decide the case after taking into consideration all the pleas taken by the petitioners. Even it will be open to counsel for the petitioners to submit written brief, in case the petitioners still have any apprehension that any argument will not be considered.

This order has been passed keeping in view the judicial wisdom of the Judicial Officer expecting that the case will be tried without any prejudice.

October 5, 2016
amit rana

(M.M.S. BEDI)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No