

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

**CRL. MISC. No.M-38707 OF 2014
DATE OF DECISION : 21st JANUARY, 2016**

Shweta Sharma

.... Petitioner(s)

Versus

Sudesh Kumar Sharma & another

.... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ANITA CHAUDHRY

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

Mr. G. S. Jagpal, Advocate for respondent No.1.

Mr. Ramandeep, Advocate for respondent No.2.

Ms. Harsimrat Rai, DAG, Punjab.

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ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking transfer of the trial pending in the Court at Kharar to a competent Court at Yamuna Nagar. The petitioner has claimed that she has a small child and will have to travel about 300 kilometers and she is not in a position to come alone and it is difficult to pursue the proceedings, therefore, the case may be transferred to Yamun Nagar.

On the last date of hearing the State counsel had informed that the statement of the petitioner had been recorded which was disputed by the petitioner. Today State has filed the copy of the statement made by the complainant. The perusal thereof shows that the examination-in-chief of the complainant had been recorded on

18.07.2014. The complainant has not appeared thereafter and it is stated that the case is being adjourned only for that purpose.

The FIR was lodged by the petitioner at Police Station Mullanpur and the trial is going on at Kharar. The petitioner has only to appear once for her cross-examination. It is the counsel who can represent her before the trial court for other dates. It is not a complaint case which would require repeated appearances of the complainant.

In view of the above, I find no reason or justification for transfer the case. The petition stands dismissed.

Petitioner is directed to appear in the court below for her cross-examination. Trial Court would give only one opportunity for that purpose.

21st JANUARY, 2016
'raj'

(ANITA CHAUDHRY)
JUDGE