

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

Date of decision:26.02.2016

Virender @ Billu

.....Petitioner

v.

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Sandeep Kotla,Advocate for the petitioner

Mr.Kuldip Tiwari,Addl.AG Haryana assisted by
ASI Suresh Kumar

Jaswant Singh,J.(Oral)

Prayer is under Section 407 Cr.PC for transfer of Sessions Case in FIR No.725 dated 26.08.2015 for offences punishable under Sections 307 and 34 IPC and Section 25/54/59 of the Arms Act,PS Civil Line,District Hisar, from Hisar to any other district except Fatehabad.

It is contended that due to the complainant being a practising Advocate in Hisar there is already resolution passed and no Advocate is coming forward to represent the accused-petitioner.

Upon notice, reply has been filed on behalf of State of Haryana.

In the reply, there is specific denial qua the resolution

passed by lawyers at Hisar regarding no Advocate coming forward to represent the petitioner.

After hearing the counsel for the parties and perusing various zimni orders reproduced in the body of the present petition, it is a fit case where this Court has to exercise its jurisdiction for transferring the case from the Court of Additional Sessions Judge, Hisar to an adjoining District.

Accordingly, this petition is allowed and it is ordered that trial in case in FIR No.725 dated 26.08.2015 for offences punishable under Sections 307 and 34 IPC and Section 25/54/59 of the Arms Act, PS Civil Line, District Hisar, pending in the Court of Additional Sessions Judge, Hisar is transferred to a Court of competent jurisdiction at Sirsa, which shall proceed with the matter from its present stage.

Disposed of accordingly.

26.02.2016
joshi

(Jaswant Singh)
Judge