

Criminal Miscellaneous No.M-4428 of 2016 (O & M)
Date of Decision: February 08, 2016

M/s Bajaj Gram Udyog Smiti Ltd. & others

..... PETITIONERS

VERSUS

M/s Garg Coal Trading Company

..... RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

. . .

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

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PRESENT: Mr. Ajay Pal Singh Srawaan, Advocate, for the petitioners.

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Jaspal Singh, J

1. The instant petition has been preferred under Section 407 Cr.P.C. seeking transfer of complaint case No.COMA/1740/2014 dated September 18, 2014 captioned as 'M/s Bajaj and others vs. M/s Garg Coal Trading Company' under Section 138 read with Section 142 of Negotiable Instruments Act, 1881 (for short, 'Act') and Section 420 IPC, pending in the court of Judicial Magistrate Ist Class, Bathinda, to

any other court of competent jurisdiction at Feroepur, Faridkot or Moga.

2. The transfer of case from Bathinda to some other court of competent jurisdiction at Ferozepur, Faridkot or Bathinda has been sought by the petitioners on the ground that respondent – complainant is highly influential person and is politically well connected with senior leaders, who has extended threats to involve the petitioners in some criminal case(s) or that they would be beaten up in case they visit Bathinda to attend the court proceedings.

3. This Court has given a deep thought to the aforesaid ground of transfer but finds that the apprehension pleaded by the petitioners is unfounded. There is no specific instance of any occurrence having taken place between the parties. Moreover, the complaint is under Section 138 of the Act and it does not mean that on the simple assertion of petitioners, the case may be transferred from Bathinda to any other court of competent jurisdiction as referred to above. Finding no merit in the petition, the same is dismissed.

February 08, 2016
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(Jaspal Singh)
Judge