

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

CRM-M-11298 of 2017 (O&M)

Date of decision: 03.04.2017

Nasib Kaur

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Veneet Sharma, Advocate for the petitioner.

Jitendra Chauhan, J. (Oral)

The present petition under Section 407 of the Code of Criminal Procedure (for short 'Cr.P.C.'), has been filed seeking transfer in case bearing FIR No.11 dated 13.02.2016, registered under Section 304 of IPC, at PS Sardulgarh, District Mansa to any other district.

It is contended that the present FIR has been registered against the petitioner on the basis of vague allegations levelled by respondent No.2. Respondent No.2 got discharged his pregnant wife from petitioner's nursing home and got her admitted in Delhi Nursing Home, Sardulargarh wherein the foetus died in the womb. The nursing home of the petitioner has been shut down and respondent No.2 threatened the petitioner that in case she enters District Mansa,

she would be eliminated.

Heard.

After perusing the case file, this Court is of the considered opinion that cases cannot be transferred at the whims of the party. There is no strong ground to transfer the case to any other competent Court. Therefore, at this stage, the transfer of the petition would unnecessarily cause delay in the conclusion of the litigation.

However, considering the apprehension of the petitioner, in case the petitioner moves an application before the SSP, concerned, he will look into the matter and ensure that life and liberty of the petitioner is fully protected and that she is not hampered effectively defending her case before the trial Court.

Disposed of.

03.04.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable: Yes No