

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

**CRM-M-26381-2017
Date of decision-25.07.2017**

Sunita Kumari and another

...Petitioners

Vs.

Satbeer Singh

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. S.K.Tripathi, Advocate for the petitioners.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 407 read with Section 482 of the Code of Criminal Procedure has been filed for transfer of trial in case bearing No.251 dated 21.07.2016 registered under Section 125 of Cr.P.C pending adjudication in the Court of learned District Judge, Family Court, Bhiwani to District Court Gurgaon.

Learned counsel contends that the transfer of proceedings pending adjudication before the Family Court, Bhiwani have been sought on the ground that respondent had falsely implicated brother of the petitioner No.1 in some criminal case. It is further contended that respondent is posted as EHC at District Bhiwani and the petitioners have apprehension that they are not likely to get justice at Bhiwani as the respondent is trying to influence the petitioners and her brother. They apprehend threat to their life and liberty.

I have heard learned counsel for the petitioners and have gone through the case file.

The petitioner (No.1) has no *locus standi* to take up the case of her brother, particularly when he is major and not stated to be a person of unsound mind or with any disability that prevents the brother to approach this Court. Though an apprehension to the life and liberty of the petitioner has been expressed but there is no evidence on record that the petitioners were ever threatened by the respondent. This Court feels that the apprehensions of the petitioners are totally misconceived.

Consequently, no case for transfer of the case is made out and the petition stands dismissed.

July 25, 2017

vanita

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No