

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

(i) CRM No.M-35791 of 2016 (O&M)

Meena Chaudhary

...Petitioner

VERSUS

Het Ram Sharma and another

...Respondents

(ii) CRM No.M-35800 of 2016 (O&M)

Meena Chaudhary

...Petitioner

VERSUS

Het Ram Sharma and another

...Respondents

Date of Decision: December 18, 2017

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.R.S.Mamli, Advocate
for the petitioner.

Mr.Tanmoy Gupta, Advocate
for respondent No.1.

Mr.Brijesh Sharma, Asstt. Advocate General, Haryana
for the respondent-State.

INDERJIT SINGH, J.

Both the above-mentioned cases are taken up together as the
point for determination in both the case is the same.

Petitioner has filed these petitions under Section 407 Cr.P.C.

Chaudhary' pending before learned Sessions Judge, Palwal, to the District Courts, Rohtak.

Notice of motion was issued. Learned counsel for respondent No.1 as well as learned State counsel appeared and contested the petition.

At the time of arguments, learned counsel for the petitioner mainly argued on one point that Het Ram Sharma respondent No.1 is practising as an Advocate and he had remained President of Bar Association for three years and it is difficult for the petitioner to contest her case at Palwal. It is also argued that even respondent No.1 was convicted by the Magistrate and the Bar Association, after some days, passed Resolution against the judicial officer by not mentioning this case but on her conduct etc.

On the other hand, learned counsel for respondent No.1 argued that respondent No.1 has no influence upon the judicial officer nor it can be presumed. If there would have been any influence of respondent No.1 upon the judicial officer, then he might have been acquitted in the case.

After hearing learned counsel for the parties as well as learned State counsel and after going through the record, I find that there is no cogent ground for transfer of the cases from Palwal to District Rohtak or at some other place. The argument of learned counsel for the petitioner is that respondent Het Ram Sharma being practising Advocate as well as having remained President of the Bar Association for three years, has influence. If that would have been the case, then respondent Het Ram Sharma might have been acquitted. Learned Magistrate has convicted him and appeal filed by Het Ram Sharma against conviction is pending. This fact that respondent

over the Court nor the Court is under pressure of the Bar. Mere fact that Bar passed the Resolution against the judicial officer regarding her conduct, has no concern with this case and there is nothing to presume that Resolution in question is the result of decision of the case against respondent Het Ram Sharma.

In view of the above discussion, I do not find any ground to transfer the cases to some other districts.

Therefore, finding no merit in both the petitions, the same are dismissed.

December 18, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No