

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

CRM-M-45967 of 2017.

Decided on:-December 04, 2017.

Lal Singh.

.....Petitioner.

Versus

Narang Singh and others

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Ms. Naina Issar, Advocate
for the petitioner.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 408 Cr.P.C. is for transfer of criminal complaint under Sections 323, 447 and 506 read with Section 34 IPC as well as Section 25 of the Arms Act, 1959 titled as “*Narang Singh Versus Sukhdev Singh alias Sukha and others*” filed by respondent No.1 against petitioner Lal Singh and two other co-accused, namely, Sukhdev Singh alias Sukha and Jagtar Singh alias Jagga i.e. respondents No.2 and 3 herein.

Learned counsel for the petitioner contends that the petitioner is an old aged person suffering from various ailments. The transfer of the case is being sought by the petitioner as he has some apprehension in his mind that in case he goes to Barnala to attend the case all the way from Fatehgarh Sahib, the respondent-complainant would make harassment to him.

Learned counsel further prays that in the event the case is not transferred, the personal appearance of the petitioner may be exempted.

Having heard learned counsel for the petitioner and considering the fact that the cause of action has arisen in Barnala, no ground for transfer of the case is established.

However, so far as exemption of personal appearance of the petitioner is concerned, he shall be at liberty to make an appropriate application before the trial Court seeking exemption of his personal appearance on the pleaded grounds. The trial Court shall consider that application objectively.

The petition is, accordingly, disposed of.

December 04, 2017

Yag Dutt

**(HARI PAL VERMA)
JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No