

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

**Crl. Misc. No.M-9827 of 2017 (O&M)
Date of Decision: March 23, 2017**

Pardeep Kumar Mehta

.....PETITIONER(s).

VERSUS

Kiran Mehta

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Aman Dhir, Advocate
for the petitioner (s).

SURINDER GUPTA, J.

Heard.

Petitioner filed an application under Section 156(3) Code of Criminal Procedure before Sub Divisional Judicial Magistrate, Mukerian on which learned Magistrate took cognizance and directed the petitioner to produce preliminary evidence. Thereafter, the petitioner moved application seeking transfer of the complaint on the ground that he has threat to his life and liberty and that son of his brother Rajiv Mehta is practicing Advocate at Mukerian and Dasuya and has influence on Courts and other organizations of that area. The application was declined by Chief Judicial Magistrate, Hoshiarpur. Thereafter, he moved application before the Sessions Judge, Hoshiarpur, which was also declined.

Learned counsel for the petitioner submits that he is seeking

transfer of complaint of petitioner on two grounds; firstly, that son of his

brother is Advocate at Mukerian and Dasuya and secondly, he has threat to his life and liberty.

So far as the plea that son of brother of petitioner is an Advocate practicing at Mukerian and Dasuya is concerned, the same has no merits, particularly when the case of the petitioner is still at stage of preliminary evidence and neither of the accused has been ordered to be summoned. For the threat to his life and liberty, the petitioner is stated to have moved application to Senior Superintendent of Police, Hoshiarpur, who will look into the same, verify the allegations and take appropriate action in accordance with law.

This petition has no merits.

Dismissed.

March 23, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***