

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

Sr. No.246

**CRM-M-12745-2016 (O&M)
Date of decision : 11.01.2018**

Vishal Jain

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. A.K. Goel, Advocate, for the applicant-petitioner.

SUDHIR MITTAL, J. (Oral)

Service is complete as respondent No.2 has refused to accept the notice.

2. This petition has been filed for transfer of criminal complaint No. RT-24, dated 03.03.2011/15.01.2011 titled 'Vishal Jain Vs. Gurpreet Singh Sidhu etc' pending in the Court of Sh. Satish Kumar, Judicial Magistrate First Class, Faridkot, to the Court of Chief Judicial Magistrate, Moga. It is argued by the learned counsel for the petitioner that the subject matter of the complaint and the situs of occurrence are located within the territorial jurisdiction of Sessions Division Moga. The said Sessions Division, was created in the year 2012, whereas the criminal complaint was filed in the year 2011 and was tried at Faridkot. After remand, the matter has again been placed before JMFC, Faridkot. Now that a Sessions Division has been created at Moga, the matter should rightfully be adjudicated within the said Sessions Division.

3. In view of the fact that separate Sessions Division, Moga is now in existence and the subject matter of the case falls within its

jurisdiction, it would be appropriate to transfer the said criminal complaint to the Court of Chief Judicial Magistrate, Moga. Accordingly, the case in question is withdrawn from the Court of Sh. Satish Kumar, Judicial Magistrate First Class, Faridkot and is ordered to be transferred to the Court of Chief Judicial Magistrate, Moga, who shall proceed therewith in accordance with law. The parties are directed to put in appearance before the transferee Court on 30.01.2018 at 10.00 a.m. for which date the transferor Court shall transmit the file of the case.

4. The petition is disposed of.

(SUDHIR MITTAL)
JUDGE

January 11, 2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No