

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

CRM-M No.2290 of 2018

Date of Decision: 23.02.2018

Shiv Kumar

. . . Petitioner

Versus

State of Punjab and another

. . . Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present: Mr. A.P.S. Sandhu, Advocate
for the petitioner.

Mr. Rakeshinder Singh Sidhu, AAG, Punjab.

Mr. Vishva Bahl, Advocate
For the complainant.

H.S. Madaan, J. (Oral)

This is a petition moved by petitioner Shiv Kumar, complainant in FIR No.170 of 2008, titled as 'State Versus Raj Kumar @ Raj Karan and others', pending before Shri V.K. Goyal, Additional Sessions Judge, Amritsar, for transfer to some other Court of competent jurisdiction.

In the petition, the petitioner has leveled certain allegations of bias against the Presiding Officer contending that he has got an apprehension that he would not get justice from that Court. He had moved an application for transfer of his case before the Sessions Judge, Amritsar, but the same was declined. As such, he has approached this Court claiming for the similar relief.

Notice of the application was given to the respondent.

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State of Punjab has appeared through Assistant Advocate General, Punjab whereas respondent No.2 Raj Kumar @ Raj Karan appeared through Mr. Vishva Bahl, Advocate.

No reply to the petition has been filed.

I have heard learned counsel for the parties and have gone through the record.

So far as the allegations against Shri V.K. Goyal, Additional Sessions Judge, Amritsar are concerned, those do not seem to have any merit. But the very fact, that an apprehension has arisen in mind of the petitioner that he would not get justice from that Court, the case should be transferred to some other Court of competent jurisdiction.

Learned counsel for respondent No.2, with all fairness stated he has no objection if the case is transferred to any other Court of competent jurisdiction.

Accordingly, the criminal Challan in question, pending trial in the Court of Shri V.K. Goyal, Additional Sessions Judge, Amritsar is withdrawn from the said Court and is transferred to the Court of Shri Jaspinder Singh, Additional Sessions Judge, Amritsar, for disposal in accordance with law.

Parties through counsel are directed to appear in the transferee Court on 14.03.2018.

Copy of this order be sent to the District and Sessions Judge, Amritsar, for information and necessary action.

[H.S MADAAN]
JUDGE

February 23, 2018
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Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No