

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-28483 of 2018 (O&M)

Date of decision : 11.7.2018

...

Harinder Kaur

.....Petitioner

vs.

State of Punjab and another

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Dr. Payel Mehta, Advocate the petitioner

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H. S. Madaan, J. (Oral)

This is a petition for transfer of petition under Section 125 Cr.P.C. filed by the petitioner Harinder Kaur, herself in the court of Judicial Magistrate Ist Class, Garhshankar, to the court of competent jurisdiction at Nakodar, District Jalandhar.

It is contended that at the time of filing of the petition, the petitioner was residing with her sister at Mahilpur, District Hoshiarpur and now she has shifted her residence to her parental home at Village Dandowal, Tehsil Shahkot, District Jalandhar, and it is difficult for her to travel for about 90 kms from her village to Garhshankar.

Since the petitioner herself had filed the petition in the Court of Judicial Magistrate Ist Class at Garhshankar, where as per her own

pleadings, she has been granted interim maintenance and litigation expenses, merely for the reason that she has shifted her residence, the case cannot be ordered to be transferred. The case cannot be transferred as per the wishes of a litigant.

Finding no merit in the petition, the same stands dismissed.

11.7.2018
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(H.S. Madaan)
Judge

Whether speaking / reasoned

Yes / No

Whether reportable

Yes / No