

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 33054 of 2018 (O&M)

Date of decision : 3.8.2018

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Hari ParshadPetitioner

vs.

State of U.T., ChandigarhRespondent

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

Present: Mr. M.K. Bhatnagar, Advocate for the petitioner.

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H. S. Madaan, J. (Oral)

This is a petition for transfer of case titled 'State vs. Hari Parshad' from the Court of Ms. Poonam R. Joshi, Additional Sessions Judge, Chandigarh, to some other Court, which is fixed for final arguments, by setting aside the orders dated 28.5.2018 and 1.2.2018 passed by Sessions Judge, Chandigarh, on transfer application.

The apprehension of the petitioner accused – Hari Parshad is that his co-accused Monu, who was a juvenile, has been tried and convicted by the said Court, in that way the Court concerned has expressed its mind, therefore, the case be transferred to some other Court.

Learned Sessions Judge, while declining the application has

rightly observed that the trial is to be conducted independently on the basis of evidence led by the parties and apprehension of the petitioner is misconceived, thereby declining the petition.

I find myself in agreement with learned Sessions Judge, on that point and I do not see any reason to transfer the case from the Court of Ms. Poonam R. Joshi, Additional Sessions Judge, Chandigarh, to some other Court.

Dismissed.

3.8.2018
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No