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

CRM-M-33346-2018(O&M)

Date of Decision:08.08.2018**Prem Singh Narwal****....Petitioner****Versus****Om Parkash Dahiya****....Respondent****CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present: - Mr. Vishal Garg, Advocate
for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 407 Cr.PC prayer has been made to transfer the criminal complaint under Section 200 read with Section 190 Cr.P.C. titled as “*Om Parkash Dahiya Versus Prem Singh Narwal*” from the Court of Sh. Vinay Kakran, Judicial Magistrate Ist Class, Sonapat to District Courts, Rohtak or to any other competent Court of any other District of Haryana on the ground that respondent is the sitting member Juvenile Justice Board, Sonipat and thus, is having close relations with the judicial officers.

Learned counsel for the petitioner contends that in CRM-M-13833-2018, on the similar grounds, the complaint, filed by one Sushma, under Section 195-A, 420, 452, 467, 468, 471, 506 & 120-B IPC, has been transferred from Sonapat to Panipat.

Having considered the submissions made by the learned counsel for the petitioner, I find the instant petition completely devoid of any merit.

The case of the petitioner cannot be treated on the same parity as in the case of “*Sushma Versus Om Parkash Dahiya*” in CRM-M-13833-2018. The

said complaint was transferred for the reason that petitioner-Sushma was suffering from Bronchial Asthama and her father was 75 years of age, whereas in the instant petition, the petitioner is the father-in-law of the son of the respondent. Sharing of the Bench of Juvenile Justice Board by the respondent as its member cannot be a ground to transfer a case from a particular station to another station inasmuch as the same would amount to doubting the integrity of a Magistrate. The fear of the petitioner that the Court may be influenced by the respondent before whom the complaint is pending against him; is completely hypothetical and imaginary.

Dismissed.

A copy of the order be sent to the concerned worthy District and Sessions Judge for knowledge.

8th August, 2018

shabha

[RAMENDRA JAIN]
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether Reportable : *Yes/No*