

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

**CRM-M No. 34424 of 2018
DATE OF DECISION :- August 14, 2018**

Prabhjeet Singh

...Petitioner

Versus

Maninder Kaur

...Respondent

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

Present:- Mr. L.M. Gulati, Advocate for the petitioner.

Petitioner Prabhjeet Singh by way of filing the present petition under Section 407 Cr.P.C. prays for transferring of complaint case filed by his estranged wife Maninder Kaur against him and his co-accused pending in the Court of Judicial Magistrate 1st Class, Rupnagar to the Courts outside District Rupnagar preferably at the place which is at equal distance for both the parties. The reason given in the petition is that petitioner has imminent danger to his life and liberty, therefore, he is not able to contest the complaint in the Courts at Ropar. He has alleged that on several occasions he was harassed and tortured by the family members of respondent and that he is having custody of minor son of the parties and is the only person to look after him.

However, I find such reasoning to be unconvincing. The allegations against family members of respondent Maninder Kaur giving him beatings and threatening him are very general and vague. When asked

from learned counsel for the petitioner, he admitted that no information in that regard was given to the police, to the Court concerned or learned District and Sessions Judge. Therefore, such type of allegations are not believable. In case the petitioner apprehends any danger to his life he can approach the local police in that regard seeking protection and can apprise learned District and Sessions Judge, Rupnagar or the Court concerned about it. As regards the minor child, he is not supposed to take the minor child with him to the Court to attend the dates of hearing. He can leave the said child with his family, relatives and even at School since child is stated to be aged more than 6 years.

Thus, there is no ground to transfer the case. The petition being without any merit stands dismissed.

(H.S. MADAAN)
JUDGE

August 14, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No