

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

CRM-M No.36961 of 2017

Date of Decision: 08.03.2018

Rajesh kumar

. . . Petitioner

Versus

State of Haryana and another

. . . Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Jitendera Sharma, Advocate
for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

Mr. Hakam Singh, Advocate
for respondent No.2.

Raj Shekhar Atttri, J. (Oral)

Heard.

The petitioner has filed this petition under Section 407 of the Code of Criminal Procedure for transfer of criminal proceedings instituted by respondent No.2/wife in case bearing FIR No.717 dated 02.10.2016, registered under Section 67 of the Information and Technology Act, 2000 at Police Station Hansi (Annexure P-2), pending in the Court of Sub Divisional Judicial Magistrate, Hansi to a Court of competent jurisdiction in Sessions Division, Panchkula, Ambala or Kaithal.

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Learned counsel for the petitioner has placed reliance upon the judgment dated 03.08.2017 passed by this Court in CRM-M No.40915 of 2016 whereby the proceedings under Section 12 read with Section 18 to 23 of the Protection of the Women from Domestic Violence Act, 2005 filed by respondent No.2/wife were transferred from Hansi to the Court of Chief Judicial Magistrate, Kaithal.

Respondent No.2-Smt. Suman, who is present in the Court, submitted that it is very difficult for her to travel out of Hansi as she has to look after small twins, born on 09.10.2015.

In view of the facts and circumstances of the case, no case for transfer of the proceedings from Hansi to a Court of competent jurisdiction in Sessions Division, Panchkula, Ambala or Kaithal, is made out.

However, liberty is granted to petitioner Rajesh Kumar to appear through the video conference on each and every date of hearing. In case his personal presence is required in the Court at Hansi, necessary protection will be provided to him by the Superintendent of Police, Hansi.

Copy of this order be sent to the District and Sessions Judges, Gurugram and Hansi to make necessary arrangements.

[RAJ SHEKHAR ATTRI]
JUDGE

March 08, 2018
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Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No