

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

241

CRM-M-7691-2017

Date of Decision: January 10, 2018

Shivani

.....Petitioner

versus

Jagdish Chander

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr.Amaninder Preet, Advocate
for the petitioner.

Sudhir Mittal, J. (Oral)

Service is complete.

Respondent No.2 has been served. However, none has put in appearance on his behalf. On the previous two dates also i.e. on 15.11.2017 and 08.01.2017, the case has been adjourned to enable the respondent to file a reply. Reply has also not been filed till date.

2. This petition has been filed for transfer of Criminal Complaint No.226/1/14 dated 10.03.2014 (Annexure P-I) from the Court of JMIC, Jalandhar to the Court of Chief Judicial Magistrate, Ferozepur. Learned counsel for the petitioner submits that the petitioner had filed an FIR No.52 dated 17.04.2013 against her husband and in-laws etc. under Section 406, 498-A IPC, which was investigated and the father-in-law and certain other family members were declared innocent. Thereafter, the present complaint has been instituted under Section 499 read with Section 500 IPC. He further points out that a similar petition i.e. CRM-8406 of 2017 had been filed by the petitioner against one Sachin Kapoor, who had

also been exonerated in the aforementioned FIR and by order dated 01.06.2017, the complaint filed by said Sachin Kapoor stands transferred. This case is identical to the earlier case because through this petition, transfer has been sought of complaint filed by the father-in-law.

3. In view of the above, the present petition is allowed. Criminal Complaint No.226/1/14 COMI-98/14 dated 10.03.2014 under Section 499 read with Section 500 IPC pending in the Court of the JMIC, Jalandhar, is withdrawn from that Court and is ordered to be transferred to the Court of the Chief Judicial Magistrate, Ferozepur, who shall proceed further in the matter in accordance with law from the stage at which the case was pending before the transferror Court.

Copy of the order be sent, forthwith to the Court concerned for compliance.

(SUDHIR MITTAL)
JUDGE

10.01.2018
sonia arora

Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No