

Rajni Gupta @ Rajni Goyal and another Petitioners
Versus

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Mr. Dinesh Manrga, Advocate for respondents.

- KULDIP SINGH J. (ORAL)**

Heard.

It is contended that petitioner had lodged a criminal case for which respondent No. 1 was tried for the offences under Sections 313, 406, 498-A and 323 IPC. On the application, filed by the petitioners, before this Court, the said case was transferred to learned Sessions Judge, Yamuna Nagar at Jagadhari. In the said case, though the petitioner has been acquitted in Section 313 IPC but he has been convicted and sentenced under Sections 406, 498-A IPC.

It is further submitted that against the said judgment, appeal against conviction and Cross appeal bearing CRM-A-520-MA-2016, **Rajni Gupta vs. Rajan Gupta and others** (Annexure P-2) are pending consideration before this Court.

It is further stated that now respondent No. 1, who is a practicing Advocate at Karnal Courts has filed a suit for damages and compensation on account of his acquittal for the offence under Section 313 IPC. It is further contended that since respondent No. 1 is a practicing advocate at Karnal Courts, petitioners will not get justice from the Court at Karnal. Respondent being an advocate, has already levelled allegations against the then Presiding Officer and this may happen again.

Considering the facts and circumstances of the case and in order to ensure that justice is not only done but it appears to have been done, the present suit tilted as '**Rajan Gupta versus Dr. Richa Thapriyal and others**' pending in the Court of learned Civil Judge (Senior Division), Karnal is withdrawn from the said Court and is transferred to the learned Civil Judge (Senior Division), Yamuna Nagar, at Jagadhari who shall try the case himself.

As such, the present petition is allowed.

(KULDIP SINGH)
JUDGE

29.01.2018
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Whether speaking / reasoned	Yes
Whether Reportable:	No