

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

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**CRM-M-2729 of 2019 (O&M)
Date of Decision: 06.09.2019.**

Anil Kumar Sharma

...Petitioner.

Versus

State of Haryana and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. G.S. Madaan, Advocate for the petitioner.

Ms. Harpreet Kaur, Assistant Advocate General, Haryana.

Mr. Aditya Sanghi, Advocate for respondents No.2 to 7.

Shekher Dhawan, J.

Present petition under Section 407 of the Code of Criminal Procedure is for transfer of proceedings on the basis of FIR No.42 dated 27.02.2017, under Sections 147, 148, 149, 323, 341, 427, 506 of the Indian Penal Code (for short 'IPC'), registered at Police Station Mandi Dabwali, District Sirsa and case titled as 'State of Haryana vs. Ashok Kumar etc.' from the Court of learned Sub Divisional Judicial Magistrate, Dabwali to some other Court of competent jurisdiction in any other district of Haryana.

Learned counsel for the petitioner contended that the petitioner has to depose in the case and he is material prosecution witness and he is apprehending threat to his life and earlier also, an occurrence had taken place on 27.02.2017, when the petitioner alongwith Alok Joshi had come to join investigation in case F.I.R. No.37 dated 17.02.2017 under Sections 34, 406, 498-A IPC, registered at Police Station City Mandi Dabwali and with

regard to that incident, the petitioner got registered the present case bearing FIR No.42 dated 27.02.2017, under Sections 147, 148, 149, 323, 341, 427, 506 IPC, registered at Police Station Mandi Dabwali, District Sirsa.

Learned counsel for respondents No.2 to 7 opposed the prayer of the petitioner on the ground that jurisdiction lies with the Courts at Sirsa.

Having considered the submissions made by learned counsel for the parties and in view of the grounds mentioned in the application and in the interest of justice, the proceedings on the basis of FIR No.42 dated 27.02.2017, under Sections 147, 148, 149, 323, 341, 427, 506 IPC, registered at Police Station Mandi Dabwali, District Sirsa and case titled as 'State of Haryana vs. Ashok Kumar etc.' is withdrawn from the Court of learned Sub Divisional Judicial Magistrate, Dabwali and is transferred to Courts at Hisar. Parties shall appear before learned District and Sessions Judge, Hisar on 14.10.2019, who will transfer the case to the Court, having competent jurisdiction in the matter.

In view of the above, the present petition stands disposed of.

(SHEKHER DHAWAN)
JUDGE

06.09.2019

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