

240.

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

CRM-M-10513-2018

Date of decision: 19.11.2019

ANKUR SHARMA

.... Petitioner

versus

ANITA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Akhil Bhasin, Advocate,
for the petitioner.

Mr. Sandeep Goyat, Advocate,
for the respondent.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 407 Cr.P.C. is for transfer of case FIR No.796 dated 10.11.2016 registered under Sections 498A, 406, 323, 506, 34 of IPC at Police Station City Hansi at the behest of respondent against the petitioner, from the Court of Sub Divisional Judicial Magistrate, Hansi to the competent court.

Vakalatnama filed on behalf of respondent in court today, is taken on record.

The offences so made in the FIR does reflect that all the offences are triable by the Magistrate. The FIR was registered at Hansi. It has not been specifically pleaded to which court the petitioner is seeking transfer of the case. Even in the prayer clause, the only prayer made by the petitioner is that the case which is pending before the court of Sub Divisional Judicial Magistrate, Hansi may be transferred to the competent

court. Nothing has come on record that the court where the trial is otherwise going-on is not competent to try the case. Even otherwise, this Court has been apprised that in the trial, an application has been filed by the prosecution under Section 319 Cr.P.C.

Considering the fact that trial is already in process, no case for transfer is made out.

Dismissed.

(HARI PAL VERMA)
JUDGE

19.11.2019
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No