

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-2239 of 2016 (O&M)
Date of decision : September 09, 2019

Anu Gupta

....Petitioner

versus

State of Punjab and others

....Respondents

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Pankaj Jain, Advocate, for the petitioner

Ms. Sakshi Bakshi, AAG, Punjab for the State/
respondent no. 1

Respondents no. 2,3 and 5 – ex-parte.

Fateh Deep Singh, J. (Oral)

Petitioner Anu Gupta who happens to be the complainant in a case got registered by way of FIR No. 496 dated 23.12.1999 under Sections 406, 498-A IPC and Sections 4,5 of Dowry Prohibition Act pertaining to Police Station Civil Lines, Ludhiana has come up for transfer of the trial of the said case which is pending in the court of learned Chief Judicial Magistrate, Rupnagar to

Panchkula purely on the grounds that she has aged infirm parents and she has to contest the litigation as well as to look after her family.

Upon notice none appeared for the private respondents whereas State did not file any reply.

Heard Mr. Pankaj Jain, Advocate, for the petitioner; Ms. Sakshi Bakshi, AAG, Punjab for the State/respondent no. 1 and perused the records.

Appreciating the submissions, there has been no opposition to the claim of the petitioner. Keeping in view that this Court had shown indulgence earlier vide orders dated 17.5.2001 and has transferred the proceedings from Ludhiana to Rupnagar but again the complainant-petitioner has come up seeking transfer from Rupnagar to Panchkula. Though no cause of showing indulgence to the prayer of the petitioner is made out as she is trying to unduly prolong the prosecution which is pending since the year 1999 and is feeling disgruntled again and again. However, keeping in view the totality of the circumstances, in the interest of justice, it would meet the ends of justice, if the trial of the aforesaid case is transferred from the court of learned Chief Judicial Magistrate, Rupnagar to the court of competent jurisdiction of District Mohali. Ordered

accordingly.

Learned District & Sessions Judge, Rupnagar is directed to send complete records of the case to the learned District & Sessions Judge, Mohali who may allocate the same to the court of competent jurisdiction.

September 09, 2019

(Fateh Deep Singh)
Judge

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Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No