

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45980-2019

Date of Decision: 29.10.2019

Gagan Kumar

.. Petitioner

Vs.

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Susheel Gautam, Advocate for the petitioner.

...

Manoj Bajaj, J.

Petitioner Gagan Kumar has filed this petition under Section 482 Cr.P.C for transferring him from Karnal District Jail to Kurukshetra District Jail.

Learned counsel for the petitioner contends that pursuant to judgment of conviction dated 29.11.2010, recorded in case FIR No.566 dated 10.11.2007 under Sections 302, 323 and 324 of the Indian Penal Code, registered at Police Station City Thanesar, District Kurukshetra, he is serving his sentence of life imprisonment at District Jail, Karnal.

It is argued that the petitioner is the sole bread winner of his family and his father and brother are also not keeping good health, therefore, he may be transferred from Karnal District Jail to Kurukshetra District Jail. Learned counsel for the petitioner submits that the applications in that regard were submitted by him to the DIG, Prison, Panchkula and the Superintendent Jail, Karnal respectively on 05.08.2019 (Annexures P-1 and P-2).

During the course of hearing, it is further apprised by the

learned counsel for the petitioner that apart from the conviction in case FIR No.566 dated 10.11.2007, the petitioner has been convicted in another case and a sentence of 10 years is also imposed upon him. However, he is not aware of the particulars of that case i.e. FIR number and the date of conviction.

After hearing learned counsel for the petitioner, this Court does not find any reason to invoke inherent powers under Section 482 Cr.P.C., particularly when the distance between District Karnal and District Kurukshetra is approximately 30 kms only. Besides, the illness of his family members cannot be taken as a valid ground for transfer, as in any case, the petitioner is to serve the sentence.

In view of above, no case is made out for interference.

The petition is dismissed.

29.10.2019

Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No