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

CRM-M-2595-2021

Date of Decision: 19.01.2021

Kiran**.. Petitioner****Vs.****State of Haryana and another****..Respondents****CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Surender Saini, Advocate for the petitioner.

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Manoj Bajaj, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. read with Section 407 Cr.P.C. for transfer of proceedings of case titled as *State of Haryana Vs. Sachin* in FIR No.55 dated 20.08.2020, under Sections 323, 498-A and 506 IPC, Women Police Station, Karnal from the Court of Id. Saravpreet Kaur, JMIC, Karnal to competent Court at Sonapat.

Learned counsel for the petitioner has argued that the petitioner is resident of District Sonapat and is having a nine months old child, whereas the trial in the above FIR is pending at District Karnal. He submits that two other cases under Section 125 Cr.P.C. and Section 12 Protection of Women from Domestic Violence Act, 2005, between the parties are pending at Sonapat. He prays that the above trial be transferred from Karnal to Sonapat.

After hearing the learned counsel for the petitioner and considering the nature of the trial, the other litigation between the parties, this Court finds that upon a complaint given by the petitioner, the police took cognizance by registering the above FIR and has sent the accused to

face the trial. It is clear that the State through its police department is prosecuting the accused and petitioner is one of the prosecution witnesses, whose presence on each and every date of hearing during the trial proceedings is not necessary. Apart from this, the distance between Karnal and Sonapat is approximately 80 kms and both these districts are very well connected by rail and road. Therefore, this Court does not find it to be a fit case for transfer of the trial.

Dismissed.

19.01.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No