

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

(Heard through VC)

CRM-M-19710 of 2021 (O&M)
Date of Decision: July 06, 2021

Sushila

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Vikram Singh, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed under Section 407 read with Section 482 Cr.P.C. seeking transfer of case bearing FIR No.206 dated 02.10.2019, under Sections 323, 376(2)(n), 379-A, 506 of Indian Penal Code, registered at Police Station Women Panipat, District Panipat from the court of Panipat to any other court of competent jurisdiction.

It is argued that the accused under the said FIR is a practicing lawyer in District Court, Panipat and no one is ready to appear on her behalf. It is contended that the accused had raped the petitioner and grabbed an amount of ₹ 7-8 lacs from her, apart from snatching the mobile phone, which was worth ₹ 60,000/- and when a demand was made for return of the money and phone, he refused to return the same and repeatedly raped

her time and again. Since the accused is a practicing advocate in District Court, Panipat where the trial under the FIR is carrying on, she has no one to represent her and prays that the matter be transferred elsewhere.

Notice of motion to the official respondents.

At this stage, Ms. Deepshikha Chauhan, AAG Haryana, who is appearing through the medium of video conferencing, accepts notice on behalf of the official respondents. She, on instructions from ASI Sudesh, would submit that the instant petition filed by the petitioner herein is just an attempt to delay the proceedings of the trial, as the trial is proceeding in accordance with law. Out of 13 witnesses, 5 witnesses already stands examined. She is being assisted by a legal aid counsel. Therefore, any plea raised by the petitioner is not tenable.

I have heard learned counsel for the parties and on being apprised that the trial in the case is underway and the petitioner is represented by a legal aid counsel, this court find no ground to transfer the case.

Dismissed.

July 06, 2021
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No