

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-44033-2021

Date of decision : 01.02.2022

Parmod Kumar

... Petitioner

Versus

Lalit Mohan Goyal

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.C.M.Munjhal, Advocate
for the petitioner.

(Through Video Conferencing)

VIKAS BAHL, J.(ORAL)

This is a petition under Section 407 Cr.P.C. for transfer of criminal complaint no.CNR no.PBZ030034562020 CIS no.NACT/680/2020 dated 08.10.2020 titled as “Lalit Mohan Goyal vs. Parmod Kumar” pending before the Court of Judicial Magistrate Ist Class, Ferozepur to some other competent Court of jurisdiction outside the Ferozepur courts.

The primary grievance raised by learned counsel for the petitioner is that the petitioner wishes to contest the case under Section 138 of the Negotiable Instruments Act, 1881 (in short “N.I. Act”) but since there is a serious threat to his life and liberty in case he goes to Ferozepur to attend the said proceedings, thus, he has approached this Court to highlight the fact of threat. Reference has been made to the averments made in the petition as well as to the photographs which have been annexed with the present petition as Annexure P-1.

Learned counsel for the petitioner has submitted that the petitioner would be satisfied in case, Senior Superintendent of Police, Ferozepur is directed to provide adequate security to the petitioner for each

the complaint under Section 138 of the N.I. Act filed by the complainant/respondent. Learned counsel for the petitioner has relied upon the order dated 28.10.2021 passed in **CRM-M-43930-2021** titled as **“Parmod Kumar vs. Himmat Goyal”** and other connected matters wherein a similar prayer was made and the relief sought was granted.

Keeping in view the above said facts and circumstances and also the fact that the petitioner should be able to freely defend the case without any danger to his life and liberty, the present petition is disposed of with a direction to the Senior Superintendent of Police, Ferozepur to provide adequate security to the petitioner on each and every date on which, the petitioner has to appear before the Court in the proceedings initiated by the respondent under Section 138 of the N.I. Act.

The petitioner is also directed to inform the office of the Senior Superintendent of Police, Ferozepur one day prior to the date concerned and on receiving the said information given in writing by the petitioner to the Senior Superintendent of Police, Ferozepur, the Senior Superintendent of Police would then provide adequate security to the petitioner for taking the petitioner from the office of Senior Superintendent of Police, Ferozepur to the Court and then back from the Court to the office of the Senior Superintendent of Police, Ferozepur. The petitioner after informing the Senior Superintendent of Police, Ferozepur, about the date of hearing, would reach the office of the Senior Superintendent of Police, Ferozepur, at 9:00 AM on the date when the case is fixed.

(VIKAS BAHL)
JUDGE

February 01, 2022

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No