

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

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CRM-M-52208-2021

Date of Decision: 21.02.2022

Ajit Singh ...Petitioner

Versus

State of Punjab & others ...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Sunil Agnihotri, Advocate, for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

The petitioner has approached this Court seeking transfer of trial arising out of FIR No.96 dated 17.04.2015 registered at Police Station Dasuya, District Hoshiarpur, under Sections 452/323/148/149/427 IPC and also cross-version lodged in the same FIR vide GD No.21 dated 17.04.2015 under Sections 323/34 IPC from the Court of SDJM, Dasuya to the Court of Additional District & Sessions Judge, Hoshiarpur, as another matter bearing Sessions Case No.380 dated 05.10.2021 under Sections 452/323/427/354/148/149/420/465/120-B IPC and Sections 3 & 4 of the SC & ST (Prevention of Atrocities) Act amongst the parties is pending in the said Court.

During the course of arguments, learned counsel for the petitioner has submitted that the subject matter of FIR No.96 dated 17.04.2015 and its cross-version lodged vide GD No.21 dated 17.04.2015 as well as the subject matter of Sessions Case No.380 dated 05.10.2021,

in fact, arise out of the same occurrence and that as such, the said cases are required to be tried by the same Court.

This Court, however, finds that the petitioner has approached this Court without moving any appropriate application before the District & Sessions Judge concerned. As such, the instant petition is disposed of with liberty to the petitioner to move an appropriate application before the District & Sessions Judge concerned seeking transfer of trial arising out of FIR No.96 dated 17.04.2015 and also cross-version lodged vide GD No.21 dated 17.04.2015. In case, any such application is filed, the same shall be examined and disposed of in accordance with law.

21.02.2022

Vimal

**(GURVINDER SINGH GILL)
JUDGE**Whether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**