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

CRM-M-52198-2022

Date of decision : 14.11.2022

Amarjit Kaur

...Petitioner

Versus

Rajesh Bajaj

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Aditya Dassaur, Advocate for the petitioner.

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 407 of Cr.P.C. read with Section 482 of Cr.P.C. for transfer of case bearing No.Criminal Complaint No.754/2021 dated 18.08.2021 titled as “Rajesh Bajaj Versus Amarjit Kaur” under Section 138 of the Negotiable Instruments Act, 1881 from the Court at Kurukshetra to the Court at Dasuya, District Hoshiarpur.

Learned counsel for the petitioner has submitted that the primary reason for filing the present petition is that although, this Court vide order dated 07.07.2022 (Annexure P-8) had granted exemption to the petitioner from personal appearance before the trial Court but had directed the petitioner to appear before the trial Court as and when required by the trial Court and the petitioner is ready to appear before the trial Court on the said dates. It is further submitted that the petitioner is a 54 year old lady and

there is apprehension in her mind that when she would go to attend the Court proceedings at Kurukshetra from Dasuya, Hoshiarpur, she would be physically harmed and thus, states that he would limit his prayer in the present petition with respect to providing protection on the date when the petitioner has to appear before the trial Court and states that his prayer regarding transfer of the case may be permitted to be withdrawn.

In view of the same, prayer made by the petitioner for transfer of the proceedings from Kurukshetra to Dasuya, District Hoshiarpur is dismissed as withdrawn. However, in view of prayer made by the petitioner with respect to protection of her life and liberty, the direction is issued to Superintendent of Police, Kurukshetra to take care of the petitioner on the aspect of life and liberty of the petitioner as and when the petitioner approaches Superintendent of Police, Kurukshetra for the purpose of appearing before the trial Court at Kurukshetra in the proceedings under Section 138 of the Negotiable Instruments Act, 1881.

In view of what has been observed above, the present petition is disposed of.

14.11.2022*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**