

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-8714-2023 (O&M)
Date of Decision:-20.2.2023

Dharmender Kumar ... Petitioner

Versus

Vasudev and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ishwar Pratap Singh Sethi, Advocate with
Mr. Chirag Y. Mehta, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed seeking transfer of Criminal Appeal No. 169/2022 (Annexure P-1) from the Court of learned Sessions Judge, Narnaul to any other Court of competent jurisdiction at District Rewari.
2. The grounds set forth in para No.5 for transfer of aforesaid criminal appeal are reproduced hereinunder:

“5. That the trial court without giving any opportunity to the accused to lead proper evidence passed the final order convicting the accused in a high haste manner. Aggrieved against the same the petitioner approached the Hon'ble Appellate Court which in turn is again not giving any opportunity to the petitioner to prove his case and at the very first instance has shown to be not interested

in hearing the case on merits rather the Sessions Court i.e. Court of Sh. Rajneesh Bansal verbally conveyed on the second date of hearing to the counsel representing the accused that he is not ready to go into the merits, and he should go and compromise with the complainant otherwise he is going to simply uphold the judgement of the trial court and he will be left with no other choice.”

3. Upon perusal of the instant petition as well as upon hearing learned counsel for the petitioner this Court finds that the grounds set forth for transfer of criminal appeal do not inspire confidence and the petition is apparently an attempt for bench-hunting. The petitioner in one breath has raised identical allegations against trial Court as well as lower Appellate Court, which are very convenient to be alleged. This Court does not find any valid ground for transfer of aforesaid criminal appeal. The petition is sans merit and is hereby dismissed.

20.2.2023

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No