

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 106

Criminal Miscellaneous No.M-38890 of 2022

Date of Decision: February 20, 2023

Dinesh

..... PETITIONER(S)

VERSUS

State of Haryana and another

..... RESPONDENT(S)

. . .

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

. . .

PRESENT: - Mr. Sukesh Kumar Jindal, Advocate for the petitioner.

Ms. Mahima Yashpal, DAG, Haryana.

. . .

Tribhuvan Dahiya, J (Oral)

This is a petition for transfer of trial in case FIR No.93 dated 08.05.2022, under Sections 498-A, 406, 506, 323, 354 and 34 IPC, registered at Women Police Station, District Jind, the Court of Judicial Magistrate Ist Class, Jind to any other Judicial Magistrate Ist Class outside District Jind in the State of Haryana.

Learned counsel for the petitioner has argued that the complainant's brother is a practicing Advocate at Jind and, therefore, the petitioner is not able to engage any counsel to represent himself. He is also apprehending threat to his life from the complainant's brother as well as his associates/practicing lawyers at Jind.

Status report dated 10.11.2022 has been filed by the respondent-State to the effect that steps for protection of life and liberty to the petitioner/accused at the time of appearing before the trial Court shall be taken in accordance with law. Learned counsel for the State submits that

complaints submitted by the petitioner-accused were looked into and no apprehension or danger to his life and liberty could be found.

It cannot be believed merely because the complainant’s brother is a practicing Advocate at Jind, no counsel is ready to accept the petitioner’s brief or defend him. Besides, the State has already submitted that necessary protection, as may be required, will be provided to him while appearing in the trial Court.

In view thereof, there is no ground to entertain the petition.

Dismissed.

(Tribhuvan Dahiya)
Judge

February 20, 2023
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<u>Whether Speaking/ Reasoned:</u>	<u>Yes/ No</u>
<u>Whether Reportable:</u>	<u>Yes/ No</u>