

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 105

Criminal Miscellaneous No.M-49320 of 2019 (O & M)

Date of Decision: January 25, 2023

Balwinder Kaur

..... PETITIONER(S)

VERSUS

State of Punjab & others

..... RESPONDENT(S)

. . .

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

. . .

PRESENT: - Mr. Gurmandeep Singh Sullar, Advocate, with
Ms. Devaki Anand Sullar, Advocate, for the petitioner.

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Tribhuvan Dahiya, J (Oral)

This is a petition under Section 407 Cr.P.C. seeking transfer of case bearing No.CHI-71/2016 titled *State vs. Tehal Singh*, arising out of FIR No.77 dated 21.09.2015 under Sections 498-A, 406 IPC, registered at Police Station, Maloud, District Khanna, pending in the Court of Judicial Magistrate 1st Class, Payal, District Ludhiana to a Court of competent jurisdiction in the District Rupnagar.

A perusal of the paperbook shows that the FIR in question was lodged in 2015. Since then, the trial is going on and one of the witnesses has already been examined. Further, it is a State case and the complainant is not required to go there on every date of hearing. Since the case continued before Judicial Magistrate 1st Class, Payal, District Ludhiana, for the past more than seven years without any objection having been raised by the

petitioner at any point of time, there is no ground to entertain this petition for transfer of case to Rupnagar, at this stage.

Dismissed.

Since the main case stands decided, pending applications, if any, are disposed of as having been rendered infructuous.

(Tribhuvan Dahiya)
Judge

January 25, 2023
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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No