



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-39161-2024

Date of Decision: 12.08.2024

Deepak Kaur
Versus
.... Petitioner

The State of Haryana and others
.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Arshdeep Singh Sra, Advocate
for the petitioner.

NIDHI GUPTA, J. (ORAL)

Prayer in this petition under Section 407 of the Code of Criminal Procedure (reads with Section 447 of BNSS) for transfer of the trial in FIR No. 0109 dated 18.09.2019 under Sections 498, 323 and 34 IPC registered at Police Station Women Police Station, Jind Haryana titled as '*State of Haryana vs. Manoj Kumar etc.*' bearing No. CHI/1621/2020 pending before the learned Chief Judicial Magistrate, Jind (Annexure P-1) to the Court of Competent Jurisdiction at Sangrur, Punjab.

The only ground cited by learned counsel for the petitioner for seeking transfer of the trial in the above-said FIR is that there is no-one to accompany the petitioner-wife from Sangrur to Jind.

Heard.

Perusal of the record of the case shows that petitioner was married to respondent No. 2 on 18.06.2017. No child is born out of the wedlock. The present FIR was registered on 18.09.2019 i.e 2 years after marriage. The accused in the FIR are husband/respondent No.2; brother-in-law/respondent No.3 and parents-in-law/respondents No. 4 and 5 respectively. Admittedly, the father of the petitioner is 75 years of age and

suffering from Asthma as stated in para No. 8 of the petition. Furthermore, it has been stated in the said para that the petitioner also has two younger brothers. As such, the sole ground cited by learned counsel for the petitioner seeking transfer of the trial is not made out.

Moreover, as matrimonial home and place of occurrence of alleged offences was Jind, FIR was registered by the petitioner herself at Jind. Even further, it will cause greater inconvenience for the 4 accused/respondents to undertake travel (2 of whom are the aged parents-in-laws), as opposed to the petitioner who can attend Court hearings accompanied by her brothers.

The present petition accordingly stands **dismissed**.

12.08.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No