



CRM-M-55967-2023

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Kandi Friends Education Trust, AIR 2008 SC 1333, wherein it was held that the power to make such transfers is discretionary in nature and hence, it would be unwise to attempt to shackle it with a blanket formula uniformly applicable to all situations. However, it cannot be denied that the power must be used with abundance of care and caution.

4. The petitioner apprehends threat at the hands of his wife/respondent No.1 and her paramour as she has previously tortured and harassed him. Furthermore, distance from Yamuna Nagar to Dera Bassi is 84 KM and, therefore, it would cause undue hardship to the petitioner.

5. The present petition is disposed of with the following directions:-

(a) In case, the petitioner moves an appropriate application for joining the trial through Video Conferencing/Hybrid mode, the same shall be considered and decided in accordance with High Court Rules framed in this regard as well as the judgment rendered by this Court in ***Sukhmanjit Singh Dhindsa vs. State of Punjab and others 2024(1) R.C.R.(Criminal) 636***.

6. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.

(HARPREET SINGH BRAR)
JUDGE

29.08.2024

Neha

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No