



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr.No.168**CRM-M-25103-2026 (O&M)****Decided on : 04.05.2026**

Jaspal Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Mr. Nakul Sharma, Advocate
for the petitioners.

RUPINDERJIT CHAHAL, J (ORAL)

1. The petitioners have preferred the instant petition under Section 447 of the BNSS, 2023, seeking quashing of the impugned order dated 27.10.2025, passed by the learned Sessions Judge, Ferozepur, vide which the application filed by the petitioners for transfer of the case arising out of an FIR No.55 dated 02.05.2017, registered under Sections 302, 336, 506, 148, 149 IPC and Sections 25/27/54/59 of the Arms Act, at Police Station Kulgarhi, District Ferozepur has been dismissed.

2. Brief facts of the case giving rise to the present petition are that the petitioners alongwith co-accused armed with guns, revolver, kappa etc. fired upon the complainant party and caused injuries to them due to which father of complainant namely Harnam Singh died.

3. Learned counsel for the petitioners contends that the trial court erred in dismissing the application filed by the petitioners for transfer of the aforesaid case FIR to some other Court of competent jurisdiction. He further



contends that the Presiding Officer has been taking undue interest in interacting with and addressing the complainant and even guiding him regarding the manner of pursuing proceedings before this Court. Learned counsel contends that the complainant is openly asserting that the outcome of the case would be in his favour and all accused would be convicted. He further contends that such an unequal treatment and haste on the part of learned trial Court created a reasonable and bona fide apprehension in the minds of the petitioners that they may not receive a fair trial. Learned counsel contends that the learned trial Court failed to properly appreciate the specific averments made in the application and wrongly dismissed the said application. Therefore, he prays for quashing of the impugned order.

4. I have heard learned counsel for the petitioners and have gone through the paper book.

5. The reasons given by the petitioners on the basis of which they are allegedly doubting the fairness of the Presiding Officer mainly touch the judicial functioning of the officer. A recent trend has been noticed that whenever an order is passed by a Judicial Officer/Presiding Officer, which is unfavourable to a particular party, the said party starts blaming the Presiding Officer and doubting his integrity, which is totally uncalled for. The other allegations levelled are of routine type, which are put forward by a litigant to lay basis for transfer of his case from a particular Court to some other Court. The litigants want to chose some particular Court(s) for adjudication of their disputes and it cannot certainly be left to discretion of litigants to do so. Learned District Judge, who is administrative head of the judiciary at District level is in best position to know about the integrity and functioning of the officers working under his control who vide the impugned order has



dealt with all the pleas put forward by the petitioners for seeking transfer of the case FIR in question and found those to be without any element of merit.

6. No doubt request of a litigant to transfer his case from a particular Court can be considered, if prima facie it is shown that the Presiding Officer is favourably inclined towards the opposite party on account of close acquaintance, friendship, relations etc. and not as a result of levelling such vague and sweeping allegations. Whenever a case is transferred from a particular Court to some other Court on an application moved by a litigant levelling allegations against the Presiding Officer that does have demoralizing effect upon the Presiding Officer. Therefore, such type of applications cannot be allowed in a casual and cursory manner.

7. Resultantly, this Court does not find any fault with the impugned order passed by the learned Sessions Judge, Ferozepur. Therefore, finding no merit in the present petition, the same stands dismissed.

8. All miscellaneous application(s), if any, stands disposed of accordingly.

04.05.2026
mamta

(RUPINDERJIT CHAHAL)
JUDGE

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