

Court No. - 83

Case :- TRANSFER APPLICATION (CRIMINAL) No. - 346 of 2023

Applicant :- Manvendra Singh@ Jaun Singh

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Pankaj Sharma

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Pachori,J.

Sri Pankaj Sharma, learned counsel for the applicant and Sri Karunakar Singh, learned A.G.A. for the State are present. Despite the service of notice, no one has appeared on behalf of the opposite party no. 2.

The present transfer application has been filed to set-aside the order dated 01.05.2023 passed by Sessions Judge, Agra in Transfer Application No. 306 of 2023, which has been filed to transfer the Session Trial No. 350 of 2017 (State Vs. Manvendra and others), arising out of Case Crime No. 509 of 2016, under Sections 147, 148, 149, 302, 201 of I.P.C., pending in the Court of Additional Sessions Judge, Court No. 13, Agra by which the transfer application has been rejected.

Learned counsel for the applicant submits that the applicant is one of the accused in the above-noted Session Trial. It is fairly admits that other 3 accused persons had not been impleaded as a party in the present transfer application. It is also admitted that there is no date and time has been mentioned on which the applicant saw the opposite party No. 2 in the chamber of the Presiding Officer.

After perusal of the order of the Session Judge dated 01.05.2023, it has been found that an application under Section 311 of Cr.P.C. is pending before the trial court for consideration and all the allegations are bogus and frivolous and without any basis.

In view of the above facts and circumstances of the case, the present transfer application has no merit and deserves to be dismissed.

The present transfer application is **dismissed** accordingly.

Order Date :- 30.11.2023

Ishan