

Court No. - 83

Case :- TRANSFER APPLICATION (CRIMINAL) No. - 430 of 2023

Applicant :- Arvind Kumar And 2 Others

Opposite Party :- State Of U.P. And Another

Counsel for Applicant :- Mahadeo Singh Chandel

Counsel for Opposite Party :- G.A.,Manvendra Singh

Hon'ble Sanjay Kumar Pachori,J.

Sri Mahadeo Singh Chandel, learned counsel for the applicant and Sri Ashwani Kumar Rai, learned A.G.A. for the State are present. Even in revised call none has appeared for the opposite party no.2.

The present transfer application has been filed to transfer the Complaint Case No. 94 of 2015 (Suneel Sharma vs. Arvind Kuamr & others), under Section 323/506 IPC, P.S. Dataganj, District Budaun, pending in the court of A.C.J.M.-II, Budaun to any competent court of Bareilly Judgeship.

Learned counsel for the applicants submits that the marriage of sister of the applicant nos. 1 and 2 was solemnized with opposite party no.2 in the year 2008. It is further submitted that one case being Case No. 2081 of 2018 arising out of Case Crime No. 1454 of 2013, under Section 498-A, 323, 494, 504 IPC and under Section 34 of Dowry Prohibition Act is pending in competent court of Bareilly Judgeship. It is further submitted that the case under transfer is pending for framing charge till today.

In view of the above facts and circumstances of the case, this transfer application is liable to be allowed.

Accordingly, this transfer application is allowed.

The Complaint Case No. 94 of 2015 (Suneel Sharma vs. Arvind Kuamr & others), under Section 323/506 IPC, P.S. Dataganj, District Budaun, pending in the court of A.C.J.M.-II, Budaun is transferred to competent court of Bareilly Judgeship.

Let a copy of this order be sent to the Sessions Judge, Budaun and Bareilly for necessary compliance.

Order Date :- 23.11.2023/-MAA/-