

**e-court**

**Court No. - 83**

**Case :-** TRANSFER APPLICATION (CRIMINAL) No. - 428 of 2023

**Applicant :-** Smt. Brihaspati And 2 Others

**Opposite Party :-** State Of Uttar Pradesh And Another

**Counsel for Applicant :-** Prakhar Tandon

**Counsel for Opposite Party :-** G.A.

**Hon'ble Sanjay Kumar Pachori,J.**

Sri Prakhar Tandon, learned counsel for the applicants and Sri Karunakar Singh, learned A.G.A. for the State are present. Despite service of notice none has appeared for the opposite party no.2.

The present transfer application has been filed to transfer the Case No.1952 of 2022 (State vs. Rahul and others) arising out of of Case Crime No.67 of 2022, under Section 498-A, 323, 504, 506 IPC and under Section 34 Dowry Prohibition Act, pending in the court of Judicial Magistrate (Ghatampur), Kanpur Dehat to any competent court of Kanpur Nagar Judgeship.

Learned counsel for the applicants submits that the applicant no.1 is mother-in-law of opposite party no.2. It is further submitted that two cases between opposite party no.2 and applicant no.2 are pending before the competent court of Kanpur Nagar Judgeship being Complaint Case No.4731 of 2022 (Smt. Ranno Devi vs. Rahul Katheriya & others), under Section 12 of Domestic Violence Act, pending in the court of Additional Civil Judge (JD-I), Kanpur Nagar and Case No. 2128 of 2023 (Rahul Katheriya vs. Ranno Devi), under Section 13 of Hindu Marriage Act, pending in the court of Principal Judge, Family Court, Kanpur Nagar.

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

Accordingly, this transfer application is allowed.

The Case No.1952 of 2022 (State vs. Rahul and others) arising out of of Case Crime No.67 of 2022, under Section 498-A, 323, 504, 506 IPC and under Section 34 Dowry Prohibition Act, pending in

the court of Judicial Magistrate (Ghatampur) , Kanpur Dehat is transferred to the competent court of Kanpur Nagar Judgeship.

Let a certified copy of this order be sent to the Sessions Judge, Kanpur Dehat and Kanpur Nagar for compliance.

**Order Date :- 21.11.2023**

MAA/-