

Court No. - 83

Case :- TRANSFER APPLICATION (CRIMINAL) No. - 382 of 2019

Applicant :- Satish Shahi And 4 Ors.

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

Counsel for Applicant :- Shailendra Kumar Singh

Counsel for Opposite Party :- G.A.,Ashwani Kumar Singh,Pawan Kumar

Hon'ble Sanjay Kumar Pachori,J.

Shri Shailendra Kumar Singh, learned counsel for the applicants, Shri Karunakar Singh, learned A.G.A. for the State and Shri Ashwani Kumar Singh, learned counsel for the opposite party No. 2 are present.

Present Transfer Application has been filed to transfer the Session Trial No. 60 of 2006 (State Vs. Faujdar) under Section 3(1) of U.P. Gangsters and Anti-Social Activities (Prevention) Act, 1986 and Session Trial No. 24 of 2006, arising out of Case Crime No. 279 of 2005, under Sections 147, 148, 149, 302, IPC and Section 27/25 Arms Act, Police Station Paniyara, District Maharajganj, pending in the court of Sessions Judge, Maharajganj to any other court of District Judgeship Gorakhpur.

Learned counsel for the applicant submits that the first information report of the present case was lodged in District Maharajganj wherein trial is pending. Learned counsel for the applicant fairly admits that the present transfer application is pending since 2019 and no interim order has been passed in present transfer application, therefore, the trial is near to conclusion.

In view of the above facts and circumstances, the Transfer Application has no merit and deserves to be dismissed.

The instant application is dismissed accordingly.

Order Date :- 1.12.2023

T. Sinha