

Court No. - 83

Case :- TRANSFER APPLICATION (CRIMINAL) No. - 471 of 2023

Applicant :- Poonam Devi

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

Counsel for Applicant :- Shashi Kumar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Pachori,J.

Shri Shashi Kumar Mishra, learned counsel for the applicant and Shri Pankaj Kumar Rai, learned brief holder for the State are present.

Despite the service of notice upon opposite party no. 2 none has appeared.

The present transfer application has been filed to transfer the Misc. Case No. 395 of 2019 (Smt. Poonam Vs. Manoj Kumar Yadav and others) under Section 125(3)/128 Cr.P.C. pending in the court of Principle Judge, Family Court, Etah to Principle Judge, Family Court, Agra.

Learned counsel for the applicant submits that the applicant is wife of opposite party no. 2. It is further submitted that the applicant as well as opposite party no. 2 both are residing in the city of Agra. It is further submitted that it is expedient to administration of justice to transfer the Misc. Case No. 395 of 2019 (Smt. Poonam Vs. Manoj Kumar Yadav and others) under Section 125(3)/128 Cr.P.C. pending in the court of Principle Judge Family Court, Etah to Principle Judge Family Court, Agra.

Learned counsel for the applicant further relied upon the judgment of the Supreme Court in case of **Anjali Ashok Sadhwani Vs. Ashok Kishinchand Sadhwani, AIR 2009 SC 1374 and Fatema Vs. Jafri Syed Husain @ Syed Parvej Jafferri, AIR 2009 SC 1773.**

In view of the above facts and circumstances, the present transfer

application is liable to be allowed.

Accordingly, the Misc. Case No. 395 of 2019 (Smt. Poonam Vs. Manoj Kumar Yadav and others) under Section 125(3)/128 Cr.P.C. pending in the court of Principle Judge, Family Court, Etah, is hereby transferred to Principle Judge, Family Court, Agra.

Office is directed to send certified copy of this order to Principle Judge, Family Court, Etah, as well as Agra for necessary compliance.

Order Date :- 31.10.2023

Saurabh