

Court No. - 83

Case :- TRANSFER APPLICATION (CRIMINAL) No. - 495 of 2023

Applicant :- Pradeep Jaiswal

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

Counsel for Applicant :- Sangam Lal Kesharwani, Jai Prakash Gupta

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Pachori, J.

Rejoinder affidavit filed today is taken on record.

Sri Sangam Lal Kesarwani, learned counsel for the applicant and Sri Karunakar Singh, learned A.G.A. for the State are present.

The present transfer application has been filed to transfer the Session Trial No. 76 of 2019 arising out of Case Crime No. 696 of 2018, under Section 2/3(1) of U.P. Gangster and Anti Social Activities (Prevention) Act, 1986, pending in the court of Special Judge Gangster Act, Allahabad to any competent court of any adjoining Judgeship.

Learned counsel for the applicant submits that the applicant is accused in the above noted case. It is further submitted that present case has been slapped upon the applicant on the basis of a case arising out of Case Crime No. 350 of 2018, under Section 302, 506, 120B IPC. It is further submitted that the applicant has moved a transfer application before this Court, which was allowed by a co-ordinate Bench of this Court in Transfer Application (Criminal) No. 491 of 2018 on 19.12.2018 and transferred the case relating to offence of murder, pending in Allahabad Judgeship to competent court of District Sant Ravidas Nagar (Bhadohi) on the basis of non-availability of legal assistance to the applicant.

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 Session Trial No. 76 of 2019 arising out of Case Crime No. 696 of 2018, under Section 2/3(1) of U.P. Gangster and Anti Social Activities (Prevention) Act, 1986, pending in the court of Special

Judge Gangster Act, Allahabad is transferred to competent court of Sant Ravidas Nagar Judgeship.

Let a certified copy of this order be sent to the Sessions Judge, Allahabad and Sant Ravidas Nagar for compliance.

Order Date :- 24.11.2023

MAA/-