

Court No. - 83

Case :- TRANSFER APPLICATION (CRIMINAL) No. - 494 of 2023

Applicant :- Vikrant Kakraan

Opposite Party :- State Of U.P.And 2 Others

Counsel for Applicant :- Ashish Kumar,Rahul Mishra

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

Hon'ble Sanjay Kumar Pachori,J.

Sri Ashish Kumar, learned counsel for the applicant, Sri Rahul Singh, learned counsel for the opposite party nos. 2 and Sri Ashwani Kumar Rai, learned A.G.A. for the State are present.

The present transfer application has been filed to transfer the Case No. 614/11 of 2019 (Ekta & another vs. Vikrant), under Section 125 Cr.P.C., pending in the court of Additional Principal Judge, Family Court, Muzaffarnagar to any Family Court of same district.

Learned counsel for the applicant submits that the applicant has filed a transfer application before the Principal Judge, Family Court, which has been rejected on 11.07.2023. It has been further submitted that applicant is husband of the opposite party no.2. It is further submitted that against the interim order passed by Additional Principal Judge, Family Court the applicant has filed an Application U/S 482 Cr.P.C. No. 23450 of 2022, by which the proceeding of Case No. 624/11 of 2019 has been stayed vide order dated 19.09.2023. It is further submitted that other allegations in the present transfer application are related to proceedings, which are continuing in the court of Additional Principal Judge, Family Court, Muzaffarnagar.

Learned counsel for the opposite party no.2 has vehemently opposed the prayer of this transfer application.

The Principal Judge, Family Court in the order dated 11.07.2023 observed that in the transfer application no such allegation has been made against the Additional Principal Judge, Family Court, Court No.1, Muzaffarnagar.

In view of above facts and circumstances of the case, this transfer application has no merit and deserves to be dismissed.

Accordingly, this transfer application is dismissed.

Order Date :- 1.12.2023

MAA/-