

Court No. - 83

Case :- TRANSFER APPLICATION (CRIMINAL) No. - 522 of 2023

Applicant :- Vikas Sharma

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

Counsel for Applicant :- Abhijeet Singh

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Pachori,J.

Shri Saurabh Singh, Advocate holding brief of Shri Abhijeet Singh, learned counsel for the applicant and Shri Pankaj Kumar Rai, learned brief holder for the State are present.

Present Transfer Application has been filed to transfer the Session Trial No. 1899 of 2022 (State Vs. Vikas Sharma) under Sections 376, 506, 328, IPC, pending in the court of Additional Sessions Judge, Court No. 10, Aligarh to any other court having competent jurisdiction at District Aligarh.

Learned counsel for the applicant submits that the applicant is accused in the above noted case and present transfer application has been filed after rejecting the transfer application by the Sessions Judge vide order dated 21.7.2023. Learned counsel for the applicant fairly admits that the case is pending for examining the witnesses. Cross examination of the victim is pending till today. It is further submitted that the trial court has taken personal interest in the matter and closed the opportunity of the applicant for cross examination. It is fairly admits that the applicant has been released on bail in the present case.

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 :- 30.11.2023

T. Sinha