

Court No. - 83

Case :- TRANSFER APPLICATION (CRIMINAL) No. - 545 of 2023

Applicant :- Simmi Singh

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

Counsel for Applicant :- Harish Kumar Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Pachori,J.

Shri Harish Kumar Shukla, learned counsel for the applicant and Shri Umesh Chandra Verma, learned A.G.A. for the State are present. Despite service of notice upon opposite party No. 2, none appears on his behalf.

Present Transfer Application has been filed to transfer the case No. 148 of 2023 (Simmi Vs. Anuj) under Section 125, Cr.P.C, Police Station Shivkuti, District Prayagraj, pending in the court of Principal Judge, Family Court, Allahabad to the court of Principal Judge, Family Court, Siddharth Nagar.

Learned counsel for the applicant submits that the applicant is wife of opposite party No. 2. It is further submitted that the second marriage of the applicant with the opposite party No. 2 was solemnized on 20.6.2022. It is further submitted that the applicant is residing in parental house of her father.

Learned counsel for the applicant has relied upon the judgment of **Anjali Ashok Sadhwani Vs. Ashok Kishinchand Sadhwani, AIR 2009 SC 1374** and **Fatema Vs. Jafri Syed Husain @ Syed Parvej Jaffer, AIR 2009 SC 1773**.

In view of the above facts and circumstances of the case, the present transfer application is liable to be allowed.

The instant transfer application is **allowed** and the case No. 148 of 2023 (Simmi Vs. Anuj) under Section 125, Cr.P.C, Police Station Shivkuti, District Prayagraj, pending in the court of Principal Judge, Family Court, Allahabad is transferred to the court of Principal Judge, Family Court, Siddharth Nagar.

Let a certified copy of this order be sent to Principal Judge, Family

Court, Allahabad and Principal Judge, Family Court, Siddharth Nagar for necessary compliance and action.

Order Date :- 20.11.2023

T. Sinha