

Court No. - 83

Case :- TRANSFER APPLICATION (CRIMINAL) No. - 607 of 2023

Applicant :- Smt. Mamta

Opposite Party :- State Of U.P. And 6 Others

Counsel for Applicant :- Jitendra Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Pachori,J.

Shri Jitendra Kumar, learned counsel for the applicant and Shri Karunakar Singh, learned A.G.A. for the State are present.

Present Transfer Application has been filed to set aside the order dated 10.8.2023 passed by Sessions Judge, Ghaziabad in Transfer Application No. 433 of 2023, which has been filed by the applicant to transfer the Session Trial No. 586 of 2021, arising out of Case Crime No. 389 of 2019, under Sections 376-D, 452, 504, 506, IPC, Police Station Loni Border, District Ghaziabad, pending in the court of Additional Sessions Judge/F.T.C.-I, Ghaziabad to any other competent court of District Judgeship Ghaziabad.

Learned counsel for the applicant submits that the applicant is first informant in the above noted case and the evidence of the applicant has been recorded as PW-1 in the above noted Session Trial. It is further submitted that the Presiding Officer has addressed the accused as you (आप) and called inside the chamber. The applicant has no hope of fair justice. The applicant is unable to do the effective pairavi of the case.

Vide order dated 10.8.2023, learned Sessions Judge after perusal of the application and comments called for, found that the allegations levelled are baseless and the said application has been filed only putting pressure on the court.

Learned counsel for the applicant fairly admits that there is no date and time with regard to the above noted incident, as alleged.

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 :- 1.12.2023/T. Sinha