

Court No. - 83

Case :- TRANSFER APPLICATION (CRIMINAL) No. - 659 of 2022

Applicant :- Smt Shalini Verma

Opposite Party :- State of U.P.

Counsel for Applicant :- Rajat Agarwal, Virpratap Singh

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Pachori, J.

Supplementary affidavit filed today by learned counsel for the applicant is taken on record.

Shri Vikas Kumar, Advocate holding brief of Shri Rajat Agarwal, learned counsel for the applicant and learned A.G.A. for the State are present. Despite service of notice upon opposite party Nos. 2 to 6, none appears on their behalf.

Present Transfer Application has been filed to transfer the case No. 8400/9 of 2022 (State Vs. Shobhit Verma and others) arising out of case crime No. 202 of 2022, under Sections 498-A, 323, 504, 506, IPC, Police Station Civil Lines, District Moradabad, pending in the court of Chief Judicial Magistrate, Moradabad to any other competent court of Amroha (J.P. Nagar).

Learned counsel for the applicant submits that the applicant is wife of opposite party No. 2. It is further submitted that two other cases under Section 125, Cr.P.C. and under Section 12 of Protection of Women from Domestic Violence Act are pending against the opposite parties in the competent court of District Judgeship Amroha.

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 Jafferri, AIR 2009 SC 1773**.

Learned counsel for the opposite party Nos. 2 to 6 vehemently opposed the prayer.

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. 8400/9 of 2022 (State Vs. Shobhit Verma and others) arising out of case crime No. 202 of 2022, under Sections 498-A, 323, 504, 506, IPC, Police Station Civil Lines, District Moradabad, pending in the court of Chief Judicial Magistrate, Moradabad is transferred to the competent court of Amroha (J.P. Nagar).

Let a certified copy of this order be sent to Sessions Judge, Moradabad and Sessions Judge, Amroha (J.P. Nagar) for necessary compliance and action.

Order Date :- 14.12.2023

T. Sinha