

Court No. - 83

Case :- TRANSFER APPLICATION (CRIMINAL) No. - 700 of 2023

Applicant :- Anjali Devi Pandey

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

Counsel for Applicant :- Rama Shankar Mishra

Counsel for Opposite Party :- G.A., Shashi Kant Shukla

Hon'ble Sanjay Kumar Pachori, J.

Sri Rama Shankar Mishra, learned counsel for the applicant and Sri Umesh Chandra Verma, learned A.G.A. for the State are present.

The present transfer application has been filed to set-aside the order dated 13.10.2023 passed by Sessions Judge, Allahabad by which the transfer application No. 854 of 2023, which has been filed to transfer the Session Trial No. 621 of 2018 in Case Crime No. 88 of 2018, under Sections 147, 148, 149, 452, 302, 34 of I.P.C. and Section 7 Criminal Law Amendment Act, pending in the Court of Additional Session Judge, Court No. 21, Allahabad.

Learned counsel for the applicant submits that the impugned order has been passed without considering the facts and circumstances of the case. It is further submitted that the trial court allowed the application which was moved by the prosecution side under Section 311 of Cr.P.C. without having named in the F.I.R. of the witnesses as well as charge sheet, against which the Application U/S 482 of Cr.P.C. is pending before this Court for consideration.

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

The present transfer application is **dismissed** accordingly.

Order Date :- 17.11.2023

Ishan