

Court No. - 83

Case :- TRANSFER APPLICATION (CRIMINAL) No. - 701 of 2023

Applicant :- Brij Kishore

Opposite Party :- State Of U.P. And 5 Others

Counsel for Applicant :- Rajeev Kumar Srivastava, Saagar Srivastava

Counsel for Opposite Party :- G.A

Hon'ble Sanjay Kumar Pachori, J.

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

During the course of hearing, learned counsel for the applicant has corrected the prayer clause.

The present transfer application has been filed to transfer the Session Trial No. 1748 of 2022 arising out of Case Crime No. 149 of 2022 under Sections 498-A, 304, 328 of I.P.C and under Section 3/4 of Dowry Prohibition Act pending in the court of Additional Sessions Judge, Firozabad, to any other competent court of district judgeship Mathura.

Learned counsel for the applicant submits that the applicant is first informant in the above noted case. It is further submitted that on 11.04.2023 when the applicant was present in the court premises opposite party nos. 2 to 6 came and threatened and beaten the applicant. It is further submitted that on 29.05.2023 opposite party nos 3 to 6 again threatened and beaten the applicant. It is further submitted that on 24.04.2023 and 08.06.2023 complaints were made to the SSP Firozabad.

Learned counsel for the applicant fairly admits that opposite party nos. 2, 6 are on bail and this is a fit and proper ground for cancellation of their bail.

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

Accordingly, the present transfer application is dismissed.

Order Date :- 17.11.2023

Saurabh