

**Court No. - 83**

**Case :-** TRANSFER APPLICATION (CRIMINAL) No. - 758 of 2023

**Applicant :-** Ruchi @ Ritu Rathor

**Opposite Party :-** State Of U.P. And 11 Others

**Counsel for Applicant :-** Ashutosh Upadhyay

**Counsel for Opposite Party :-** G.A.

**Hon'ble Sanjay Kumar Pachori,J.**

Supplementary affidavit filed on behalf of applicant today in the Court is taken on record.

Heard learned counsel for the applicant and learned AGA for State.

Present transfer application has been filed to set aside the order dated 16.11.2023 passed by Sessions Judge Moradabad in Criminal Misc. Transfer Application No.575 of 2023, (Ruchi @ Ritu Rathor versus Goinda and others) by which the said transfer application has been rejected. The transfer application before the Sessions Judge has been filed to transfer the Session Trial No.143 of 2017 arising out of Case Crime No.214 of 2016, under Sections 147, 148, 149, 302, & 452 IPC, Police Station Kurh Fatehgarh, District Moradabad pending in the Court of Additional Sessions Judge, Court No.3, Moradabad to any other competent Court of the same district.

Learned counsel for the applicant submits that applicant is first informant in the above noted case. Learned counsel for the applicant fairly admits that the above noted session trial is fixed for argument and also admits that there is no date, time in the affidavit as to whether when the applicant had seen the accused in the chamber of the Presiding Officer.

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 :-** 1.12.2023 /// I.A.Siddiqui