

Court No. - 15

Case :- TRANSFER APPLICATION (CRIMINAL) No. - 117 of 2023

Applicant :- Vakeel Ahmad Qadri

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home And Others

Counsel for Applicant :- Amaan Usmani, M. Usman Siddiqui

Hon'ble Shamim Ahmed, J.

Heard Sri Aman Usmani, learned counsel for the applicant as well as the learned A.G.A. and perused the record.

This application has been filed by the applicant seeking transfer the case bearing Case No. 99 of 2017, Vakeel Ahmad Qadri v. Shah Mohammad & ors., arising out of Case Crime No. 1637 of 2016, under Sections 419, 420, 467, 468, 471, 504, 506 I.P.C., P.S. Tulsipur, District Balrampur, pending before the court of learned Addl. A.C.J.M., District Court, Balrampur, to the Court of learned A.C.J.M., District Gonda.

Learned counsel for the applicant submits that the opposite party Nos. 2 to 4 are powerful and sourceful persons. They are involved in outlawry, hooliganism and misconduct. Opp. party No. 4 himself is an Advocate. They have committed maar-peat with the applicant in Court-room and they are putting pressure on the applicant to compromise in the aforesaid case. In these circumstances the applicant is fearful in appearing before the said Court and wants this case to be transferred from the court of learned Addl. A.C.J.M., District Court, Balrampur, to the Court of learned A.C.J.M., District Gonda. It is further said that the Court of learned Addl. A.C.J.M., District Court, Balrampur, is 50 kilometers away from the house of the applicant, while the nearest court from the house of the applicant is the Court of learned Addl. A.C.J.M., District Court, Gonda, which is about 80 Kilometers away.

Learned A.G.A. opposed the prayer for transfer made by the learned counsel for the applicant. He further stated that on this ground cases cannot be transferred.

No good ground has been made for transfer of the case from one District to another District. The application is accordingly **dismissed**.

(Shamim Ahmed, J.)

Order Date :- 13.12.2023/A.Nigam