

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>C447/8/2025</u> Surat Singh --Applicant Versus Manoj and Others - Respondents <u>Hon'ble Siddhartha Sah, J.</u> Mr. Siddhartha Singh Negi, learned counsel for the applicant. 2. Mr. Deep Chandra Joshi, learned counsel for the respondent nos. 1 to 12. 3. Mr. Siddhartha Bisht, learned A.G.A. for the State. 4. By means of the present Application under Section 407 of Cr.P.C. / 447 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicant has sought transfer of Criminal Misc. Application No. 142/2024, Surat Singh vs. Manoj and Others, under section 175(3) of BNSS, 2023, pending in the Court of learned Civil Judge (Senior Division 1st) /Additional Chief Judicial Magistrate, Haridwar, District Haridwar to Additional Chief Judicial Magistrate, Dehradun, District Dehradun. 5. The main ground of transfer, as tried to be agitated by means of the present Criminal Transfer Application, is that the respondent no. 2 is a

			practicing lawyer in Court compound Roshnabad, District Haridwar and the only apprehension raised at para no. 7 of the affidavit in support of the Transfer Application is that the respondent no.2 being an advocate and with the support of advocates can pressurize the Court. The applicant is very afraid, therefore, in the interest of justice, the matter be transferred to the District Dehradun. 6. Per contra, learned counsel for the respondent nos. 1 to 12 submits that false allegations have been raised by virtue of this transfer application and there is no apprehension at all, at present, even from a bare perusal of the statements made in the affidavit. 7. It is also submitted on behalf of the respondent nos. 1 to 12 that the applicant of the connected case, Mr. Shubham Kumar is regularly appearing in the Courts at Haridwar and as such, the apprehension has been expressed is absolutely false and fictitious. 8. Perusal of the annexure no. 1 reveals that application under Section 175(3) of the BNSS has been filed by the applicant in the Court of Civil Judge (Senior Division) /ACJM, Haridwar through one Mr. Ishwar Singh, Advocate and as per the counsel for the applicant, the same is still pending. Thus, from the annexure no.1, which is placed on record by the applicant himself, it is clear that the applicant is duly represented by a counsel and the proceedings are pending, and the statement as made
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			in the affidavit in support of the Transfer Application does not appear to be believable. 9. On this, learned counsel for the applicant would submit that, since the applicant / complainant is not able to engage counsel, it may be left open to the applicant, Surat Singh, to approach the District Legal Services Authority for the appointment of a Legal Aid Counsel. 10. In such view of the matter, it is not a fit case for transfer of the case and, thus, deserves to be dismissed. 11. Accordingly, the Transfer Application is dismissed. (Siddhartha Sah, J.) 09.07.2026 Shiv/
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