

HIGH COURT OF CHHATTISGARH, BILASPUR

TPCR No. 20 of 2015

- Sunil Kumar Jangde S/O Shri Manmohan Lal Jangde Aged About 42 Years R/O Quarter No. 52/92 (At Present Quarter No. 63/99) Police Colony Torwa, Police Station Torwa, Civil And Rev. Distt. Bilaspur Chhattisgarh.

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Versus

1. Ashish Arora Aged About 40 Years Station House Officer, Police Station Torwa, Aged 40 Years, R/O Torwa, Bilaspur Civil And Rev. Distt. Bilaspur Chhattisgarh.
2. Head Constable No. 1063 Umesh Upadhyay Aged About 59 Years Posted At Police Station Torwa, Civil And Rev. District Bilaspur Chhattisgarh.
3. Head Constable No. 344 Shiv Chandra Aged About 44 Years Posted At Police Station Torwa, Civil And Rev. District Bilaspur Chhattisgarh.
4. Constable No. 759 Salim Javed Posted At Police Station Torwa, Civil And Rev. District Bilaspur Chhattisgarh.
5. Constable No. 397 Fool Chandra Badde Posted At Police Station Torwa, Civil And Rev. District Bilaspur Chhattisgarh.
6. Constable No. 112 Smt. T. Somvati Posted At Police Station Torwa, Civil And Rev. District Bilaspur Chhattisgarh.
7. Smt. Madhulika Singh City Superintendent Of Police, Civil Line Bilaspur, Civil And Rev. Distt. Bilaspur Chhattisgarh.
8. Smt. Manju Madhukar D/O Bhushan Singh Madhukar Aged About 35 Years R/O Vill. - Pachpedi, Police Chowki - Pachpedi, Police Station Masturi, Civil And Rev. Distt. Bilaspur Chhattisgarh.
9. Bhushan Singh Madhukar S/O Derha Madhukar Aged About 58 Years R/O Vill. - Pachpedi, Police Chowki - Pachpedi, Police Station Masturi, Civil And Rev. Distt. Bilaspur Chhattisgarh.
10. Dr. Krishmurti Bandhi Ex - MLA/President Anusuchit Jati Janjati Ayog S/O Late Shri Bada Bandhi Aged 51 Years, Caste - Satnami, R/O Shiv Kripa Kunj, Behind Of Shiddh Shikhar Appartment, Narmada Nagar, Bilaspur, Civil And Rev. Distt. Bilaspur Chhattisgarh.
11. Smt. Gunja Khunte @ Archana Khunte W/O Mahadev Khunte R/O Vill. - Police Colony Torwa, Civil And Rev. District Bilaspur Chhattisgarh.
12. State Of Chhattisgarh Through The District Magistrate Bilaspur Chhattisgarh.

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29/10/2015	Shri P.M. Shrivastava, counsel for the petitioner. Shri Vivek Sharma, Govt. Advocate for the State. Shri Ravi Maheshwari, counsel for respondents No. 8 & 9. From the facts it appears that as many as six cases between the petitioner and respondent No.8 are pending before Shri Suresh Jun, Additional Sessions Judge, Bilaspur. The petitioner filed an application before the District & Sessions Judge, Bilaspur for transfer of all the six cases from the Court of Shri Suresh Jun to some other Court on the apprehension that he may not get justice from the said Court as the Court is proceeding hurriedly and is pressurizing the petitioner for compromise. According to the petitioner, the concerned Judge has already made up his mind for deciding the case against the petitioner and therefore, the case be transferred to some other Court. The application filed by the petitioner has been decided by the Sessions Judge by the impugned order dated 9.4.2015. It has been held by the Sessions Judge that the apprehension shown by the petitioner has no basis, the cases have been transferred in the Court of the concerned Judge so that all the matters between the parties can be decided by a common Judge. The Sessions Judge has further observed that as per provisions of Code of Criminal Procedure, if all the cases are tried by one Court, it will be in the interest of justice. It has been further held that merely on the basis of apprehension shown by the petitioner, the cases cannot be transferred. Along with this petition, the petitioner has not filed the relevant documents including copy of the transfer petition filed by him before the Court below. He has also not filed any document on which basis it can be ascertained that the Court below is pressuring the petitioner or is	

	proceeding hurriedly. Merely on the basis of apprehension shown by the petitioner that the cases may be decided against him, the pending cases cannot be transferred to some other Court. The order impugned passed by the Sessions Judge is in accordance with law warranting no interference. The petition has no substance, the same is liable to be dismissed at admission stage and it is dismissed as such. Needless to state, the Court below shall act strictly in accordance with law while deciding the pending cases of the petitioner. Sd/ (Pritinker Diwaker) Judge	
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