

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Transfer Petition (Cr.) No.22 of 2016**

- Balram Dubey S/o Laxmi Narayan Dubey Aged About 40 Years
R/o Balaji Nagar, Aghanpur, Jagdalpur, District Bastar
Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Station House Officer, Police
Station - City Kotwali Jagdalpur, District - Bastar Chhattisgarh
2. Tarun Chauhan S/o Late H. S. Chauhan Aged About 46 Years
R/o Behind Maitri Sangh, Kumharpara, Jagdalpur, District -
Bastar Chhattisgarh

---- Respondents

For petitioner	: Shri VR Tiwari, Advocate
For respondent No.1.	: Shri Satish Gupta, . Govt. Advocate.
For respondent No.2	: Shri Pravin Tulsyan, Advocate

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****07.12.2016**

Heard on IA No.01/16 for taking document on record filed on behalf of respondent No.2.

2. On due consideration, IA No.01/16 is allowed and the documents annexed along with the interim application are taken on record, if otherwise admissible in the evidence.

3. Heard the matter finally at the motion stage itself.

4. Respective counsel supported their case.

5. Perused the entire material available in the case.

6. On due consideration of the entire material, I am inclined to allow the instant petition filed under Section 407 of the Code of Criminal Procedure, 1973 (for short 'the Code'). Consequently, the petition filed

on behalf of the petitioner is hereby allowed. The said enquiry proceedings pending before the Court of CJM Kondagon is transferred to the court of CJM Raipur (CG). The CJM Kondagaon is directed to transmit the entire proceedings immediately towards the CJM Raipur. He is further directed to inform the concerned police to take part in the said proceedings and if required obtain further remand for judicial custody or file charge sheet as required under the law before the CJM Raipur. The CJM Raipur is directed to continue with further proceedings of the case as required under the law.

7. The petition stands disposed of.
8. The petitioner may file a copy of this order before the concerned criminal Court for compliance.
9. Registrar (Judl.) is also directed to send a copy of this order to the concerned court through usual and fax mode immediately.

Certified copy today itself.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE