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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ TR.P.(CRL.) 11/2016

THAKUR PRASAD

..... Petitioner

Through: Mr. Bhupesh Narula and Mr. Gaurav
Wadhwa, Advocates

versus

HORI LAL

..... Respondent

Through: Mr. Amit Sharma, Advocate

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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10.04.2017

By the application at hand, the petitioner seeks transfer of criminal complaint case 2882/2005 pending on the file of Metropolitan Magistrate-07 (Central) at Tis Hazari Courts to the court of Metropolitan Magistrate-06 (New Delhi) at Patiala House Courts Complex where another complaint case, it being CC no.615/01/2015, is also pending, the petitioner being the complainant of the said second case as well. The copies of the two complaints have been submitted with the transfer petition. It appears that in the first case filed at Tis Hazari Courts, only one accused namely Hori Lal, the respondent herein, is shown in the array as the prospective accused while in the other complaint filed at Patiala House Courts Complex Hori Lal is shown as the first accused and besides him, there are 12 other persons shown in the array as the prospective accused. The pleadings in the transfer petition themselves show that the offences

alleged in the complaint case at Patiala House Courts Complex were committed subsequent to the offence which is the subject matter of the complaint at Tis Hazari Courts Complex. Both the cases, it is conceded by the counsel for the petitioner, are still at the stage of pre-summoning inquiry.

In these circumstances, this is not a proper stage to consider the prayer for clubbing of the two cases which is the objective sought to be achieved by seeking transfer of one case from one court to the other.

The petition is thus dismissed.

R.K.GAUBA, J.

APRIL 10, 2017

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