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

DECIDED ON : 2nd MAY, 2017

+ **TR.P.(CRL.) 24/2016**

RAJESHWARI Petitioner

Through : Petitioner in person.

versus

ANAND & ORS Respondents

Through : Mr.Amit Sinha, Advocate.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

S.P.GARG, J. (Oral)

1. Present petition under Section 407 Cr.P.C. has been preferred by the petitioner for transfer of case No.SC 187/2014 arising out of FIR No.486/2014 at PS Karawal Nagar pending at Karkardooma Courts. Petition is contested by the respondents.

2. I have heard the petitioner and the counsel for the respondents and have examined the file. It is a matter of record that case vide SC No.187/2014 emanating from FIR No.486/2014 registered under Section 376/328/354A/506/34 IPC at PS Karawal Nagar is pending before Karkardooma Courts. Charge-sheet has already been filed. Charges have been framed against the respondents by an order dated 05.11.2015.

3. Petitioner's grievance is that due to threats extended by the respondents, she intends her case to be transferred from Karkardooma Courts to Tis Hazari Courts. Her other grievance is that she does not expect justice from the Court of learned Addl. Sessions Judge before whom the case is pending for disposal.

4. Regarding threat, it is relevant to note that the petitioner has already been granted protection by an order dated 04.04.2016 by the Hon'ble Supreme Court. SHO, Mukherjee Nagar Police Station has been directed to assess the requirement of providing protection to the petitioner and thereafter to provide the necessary security, protection, etc. without any delay. It is informed that the necessary protection has already been given to the petitioner.

5. Petitioner's apprehension not to get justice from the Court below is without any foundation. The Trial Court has already allowed the application filed by the petitioner to undergo internal medical check up despite its opposition by an order dated 15.07.2015. The Trial Court has framed charges against the accused persons on 05.11.2015. It cannot be inferred that the Trial Court is biased or any favour has been shown whatsoever to the respondents.

6. I find no sound reasons to transfer the matter from Karkardooma Courts to Tis Hazari Courts.

7. The petition is dismissed.

8. Costs ₹10,000/- imposed vide order dated 20.02.2016 shall be paid to the petitioner by the respondents on the next date of hearing before the Trial Court.

(S.P.GARG)
JUDGE

MAY 02, 2017 / tr