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

+ **TR.P.(CRL.) 22/2017**

KULDEEP SINGH HOODA & ORS Petitioners

Through: Mr. Vishal Gosain, Adv. with
Ms. Nicy Paulson, Adv. &
Mr. Chirag Kumar, Adv.

versus

STATE Respondent

Through: Mr. Tarang Srivastava, APP for the
State.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **19.05.2017**

Crl.M.A.8176/2017 (exemption)

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

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The petitioners are facing trial as accused persons in criminal case arising out of report under Section 173 of the Code of Criminal Procedure, 1973 (Cr.P.C.) submitted on conclusion of investigation into First Information Report (FIR) No.412/2008 of Police Station Vasant Kunj, under Sections 354/506/34 of the Indian Penal Code, 1860 (IPC) and Section 27 of the Arms Act, which is pending in the court of Ms. Bhawna Kalia, Metropolitan Magistrate, South District at Saket Court Complex.

By the petition at hand, the petitioners point out that the cross case arising out of the FIR No.414/2008, Police Station Vasant Kunj involving offences under Section 452/341/506 IPC is pending trial in the court of Mr. Lovleen, Metropolitan Magistrate, New Delhi at Patiala House Court

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Complex. Copies of the two FIRs have been placed on record. It is clear from the said documents as indeed the copy of the charge sheet in case FIR No.412/2008 that the incidents which are subject matter of the two cases are same both having occurred at about 8:00 a.m. on 22.08.2008.

In these circumstances, it is desirable that both the cases be tried by the same court simultaneously. Thus, the petition is allowed.

The criminal case against the petitioners arising out of the FIR No.412/2008 of Police Station Vasant Kunj, titled *State vs. Dharmender & Ors.* pending in the court of Ms. Bhawna Kalia, Metropolitan Magistrate is transferred to the court of Mr. Lovleen, Metropolitan Magistrate, New Delhi at Patiala House Court Complex, where the cross case is pending. The transferor court shall send file on the next date fixing an appropriate date for appearance of the parties before the transferee court.

The petition stands disposed of with these directions.

Copy of the order be sent to both the courts.

R.K.GAUBA, J.

MAY 19, 2017

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