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

+ **TR.P.(CRL.) 94/2016**

ASHWANI KUMAR

..... Petitioner

Through: Mr. Mahavir Sharma and Mr.
Kanwarpreet Singh, Adv.

versus

STATE & ORS.

..... Respondent

Through: Mr. Rajat Katyal, APP

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
02.01.2017

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Crl. M.A. No. 20255/2016

Exemption allowed, subject to all just exceptions. The application stands disposed of.

TR.P.(CRL.) 94/2016

Issue notice. Notice is accepted on behalf of the State. The petitioner seeks the transfer of case titled Ashwani Kumar v. Manmohan Singh & Ors. bearing case No.11669/2016 from the court of Sh. Kapil Kumar, learned MM, Rohini Courts to the learned CMM (North) Tis Hazari Courts, Delhi. The reason for seeking transfer is that after the filing of the said complaint, the property in question which is situated in the area of village Burari, Abadi

known as Kaushik Enclave, Burari, Delhi has been shifted in the area of PS Burari of North Distt. Burari vide notification dated 10.10.2016.

Mr. Katyal points out that u/s 201 Cr PC, in a situation like this, the learned Magistrate is obliged to return the complaint for its presentation to a proper court with an endorsement to that effect.

In view of the aforesaid position, the petition is disposed of with a direction to the learned MM to take appropriate steps in the matter in the light of Section 201 Cr PC. The petitioner may, accordingly, take appropriate steps.

The petition stands disposed of in the aforesaid terms.

VIPIN SANGHI, J

JANUARY 02, 2017

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