

HON'BLE Dr. JUSTICE SHAMEEM AKTHER
TRANSFER CRIMINAL PETITION No.10 OF 2018

ORDER:

This Transfer Criminal Petition is filed under Section 407 of Cr.P.C. seeking to withdraw Sessions Case No.54 of 2017 pending on the file of the Principal Assistant Sessions Judge, Khammam, and transfer the same to any Court in the Court of Session, Warangal.

2. Heard both sides and perused the record.

3. Learned counsel for the petitioner-*de facto* complainant would submit that the petitioner is a practicing advocate at Warangal; due to his profession, he could not appear before the Court at Khammam; the fair trial is fundamental right of the petitioner which is guaranteed in the Constitution of India; when the petitioner was appearing for the adjournments in Khammam, respondent Nos.2 to 5-accused followed him, deprived him and threatened him.

4. Learned Assistant Public Prosecutor opposed the grant of relief sought for by the petitioner.

5. There are some bald allegations made in the transfer application and no reasons are assigned for transferring the Sessions Case to Khammam. There was no occasion for the petitioner-*de facto* complainant to go to the Court at Khammam. Practicing as advocate at Warangal is not a ground to transfer the case.

6. At this stage, learned counsel for the petitioner-*de facto* complainant would submit that he intends to withdraw the Transfer Criminal Petition. As seen from the record, the petition is devoid of merits.

7. In view of the above submissions made on behalf of the petitioner, this Transfer Criminal Petition is dismissed as withdrawn. Miscellaneous petitions, if any pending in this case, shall also stand dismissed.

Dr. SHAMEEM AKTHER, J

Date: 23-01-2018

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