

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

TRANSFER CrI.P.No.32 OF 2018

ORDER:

This transfer criminal petition is filed under Section 407 of Criminal Procedure Code (for short "Cr.P.C.") to withdraw the C.C.No.420 of 2014 pending on the file of II Metropolitan Magistrate for Railways, Secunderabad and transfer the same to the any other Court in Hyderabad on the ground that there was abnormal delay in disposal of the case and that though the said case is of the year 2014, the trial has not yet been commenced.

The other ground urged in the petition is that the Presiding Officer of the Court is insisting the parties to settle the dispute outside the Court; thereby the petitioner lost confidence on the Presiding Officer of the Court.

During hearing, Sri J.P.Rao, learned counsel for the petitioner reiterated the grounds urged in the petition and contended that the affidavit filed by the petitioner and the complaint lodged by the petitioner are sufficient to conclude that the petitioner is apprehending injustice if the matter is tried by the II Metropolitan Magistrate for Railways, Secunderabad.

Sri P.Vamsheedhar Reddy, learned counsel for the respondent No.1 while opposing the petition requested this Court to transfer the case to any other nearer Court.

In view of the concession made by the learned counsel for the respondent No.1 and to avoid unnecessary delay and to wipeout the apprehension in the mind of the petitioner, I deem it appropriate to withdraw C.C.No.420 of 2014 pending on the file of

the II Metropolitan Magistrate for Railways, Secunderabad and transfer the same to the Court of XIX Metropolitan Magistrate, Secunderabad.

In the result, the petition is allowed. The C.C.No.420 of 2014 pending on the file of II Metropolitan Magistrate for Railways, Secunderabad is withdrawn and transferred to the Court of XIX Metropolitan Magistrate, Secunderabad. No costs.

The miscellaneous petitions pending, if any, shall also stand closed.

17.07.2018
Ksp



JUSTICE M. SATYANARAYANA MURTHY