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

+ **TR.P.(CRL.) 25/2018**

MOHAN LAL

..... Petitioner

Through: Petitioner in person.

Versus

STATE (GNCT DELHI)

..... Respondent

Through: Mr. Tarang Srivastava, APP for State  
with SI Sandeep Singh, P.S. I.P. Estate  
Mr. Pankaj Kumar, Advocate for R-2.

**CORAM:**

**HON'BLE MR. JUSTICE NAJMI WAZIRI**

**ORDER**

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**15.10.2018**

Prayer (A) of this petition seeks the following relief:

*A) Transfer the Criminal Case titled as 'State Vs. Cancellation', bearing Registration number 3863/2018, and the connected Ct. Case titled as 'Mohan Lai Vs. Delhi Police' bearing Registration number 538903/2016 (both of which are presently lying in the Court of the Metropolitan Magistrate 03, Sessions Division, Central, Delhi), to an equal and competent court of the Sessions Division South-West, Delhi.*

At the outset, the Court would note that this case pertains to documents allegedly forged by Sandeep Aggarwal. Hence, he would be a necessary party to this petition. He is, therefore, impleaded as R-2. An amended Memo of Parties be filed by the petitioner before the Trial Court.

Notice. Mr. Pankaj Kumar, Advocate accepts notice for R-2. Reply, if any, be filed before the Trial Court on or before the next date of hearing.

This case relates to forgery of documents which were used by R-2, husband of Priyanka, the latter being the daughter of the petitioner. It is the petitioner's case that the documents used by the respondent Sandeep Aggarwal enure to his benefit primarily to prove nullity of his marriage with the petitioner's daughter - Ms. Priyanka, were forged. This however is refuted by the respondent. Be that as it may, since the said documents were used for the purpose of second marriage, it would be appropriately considered by the Court before whom the petition under section 494 IPC is to be tried.

Since petitions under sections 9 and 12 of the H.M. Act and under section 494 of the IPC are to be tried before a Family Court of the Sessions Division, this case is transferred to the Court of Metropolitan Magistrate, Sessions Division, South-West, Dwarka. The parties shall appear before the Dwarka Court on 15.11.2018. The learned District & Sessions Judge, Tis Hazari Courts shall ensure that the Trial Court Record is sent to the learned District & Sessions Judge, Dwarka Courts.

The petition stands disposed-off, in the above terms.

**NAJMI WAZIRI, J**

**OCTOBER 15, 2018/acm**