

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Transfer Petition (Criminal) No.06 of 2019**

- Smt. Asman Ali D/o Mohd. Alim Khan Aged About 30 Years Wife Of Saiyad Nawaj Ali, Presently Resident Of Ring Road No. 02, Priya Alen, Heights Flat No. 103, Police Station Civil Line Bilaspur, District Bilaspur Chhattisgarh.

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through - Station House Officer, Police Station Kotwali Korba, District Korba Chhattisgarh.
2. Saiyad Nawaj Ali S/o Ejaj Ali Aged About 34 Years R/o Purani Basti Dewangan Para Police Station Kotwali, Korba, District Korba Chhattisgarh
3. Saiyad Ejaj Ali S/o Late Safdar Ali Aged About 60 Years R/o Purani Basti Dewangan Para Police Station Kotwali, Korba, District Korba Chhattisgarh.
4. Saiyad Siraj Ali S/o Saiyad Ejaj Ali Aged About 29 Years R/o Purani Basti Dewangan Para Police Station Kotwali, Korba, District Korba Chhattisgarh.
5. Smt. Ruksana Begum W/o Saiyad Ejaj Ali Aged About 52 Years R/o Purani Basti Dewangan Para Police Station Kotwali, Korba, District Korba Chhattisgarh.
6. Smt. Sanjida Begum W/o Imran Khan Aged About 36 Years R/o Bemetara, District Bemetara Chhattisgarh.

---- **Respondents**

 For the Petitioner : Shri SB Pandey, Advocate
 For Respondent No.1/State : Shri Afroj Khan, Panel Lawyer

Hon'ble Shri Justice Ram Prasanna Sharma
Order On Board

12.4.2019

1. This transfer petition under Section 407 of the Code of Criminal Procedure, 1973 has been filed for transferring of Criminal Case No.74/2019 pending in the Court of Chief Judicial Magistrate, Korba filed under Sections 498A read with 34 of the Indian Penal Code to the Court of Chief Judicial Magistrate, Bilaspur.

2. Without commenting on the grounds raised in the transfer petition, as the matter is related to maintenance, which is pending before the Family Court Bilaspur, it would be proper to transfer the criminal case to the Court of Bilaspur.

3. Accordingly, Criminal Case No.74/2019 filed under Section 498A read with 34 of IPC (Crime No.907/2018) which is pending before the Court of Chief Judicial Magistrate Korba is directed to be transferred to the Court of Chief Judicial Magistrate Bilaspur with immediate effect. The Court of Chief Judicial Magistrate, Bilaspur shall proceed with the case and dispose of the same in accordance with law.

4. Accordingly, the petition stands disposed of.

Sd/-
(Ram Prasanna Sharma)
JUDGE