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

+ **TR.P.(CRL.) 33/2019**

STATE

..... Petitioner

Through: Mr. G.M.Farooqui, Additional
Public Prosecutor for State

Versus

YASHPAL MAHENDRU & ORS.

..... Respondents

Through: Mr. Sahil Verma, Advocate for
respondent –Vishal Kapahi
Ms. Tanya Harnal & Ms. Sadhvi
Gaur, Advocates for respondents-
Nitin Mahendru & Pawan Duggal
Mr. Satender Sharma, Advocate
for respondents-Vipin Sharma &
Govind Datta

CORAM:

HON'BLE MR. JUSTICE BRIJESH SETHI

ORDER

09.01.2020

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The file has been received by this Court with a covering letter dated 8th May, 2019 which states that vide order of 27th April, 2019, the learned District and Sessions Judge, Tis Hazari Courts, District West, Delhi has observed that in view of the fact that police station Model Town, Delhi falls within the jurisdiction of North-West District and, therefore, this case should be transferred to the District & Sessions Judge, North-West, having the territorial jurisdiction of the case.

The transfer petition is opposed by learned counsel appearing for respondents on the ground that the case is pending at Tis Hazari Courts

for a long time and since it is an old case pertaining to the year 1999 for the offence under Section 302/34 IPC, the proceedings be allowed to be continued in District West only.

I have gone through the order dated 27th April, 2019 of learned District & Sessions Judge, Tis Hazri Courts (District West), Delhi and I find that there also, a prayer was made by accused persons that since a substantial portion of trial with respect to the present case has already been conducted at Tis Hazari Courts and transferring of the present case to Rohini Court Complex would lead to wastage of precious time and energy and, therefore, the case be not transferred in the interest of justice. However, the learned District & Sessions Judge, Tis Hazri Courts (District West), Delhi had observed that all the courts are competent enough to dispose of such like matter as per procedure.

In view of above findings returned by learned District & Sessions Judge, Tis Hazri Courts (District West), Delhi and in view of the fact that police station Model Town falls within the territorial jurisdiction of District North West, Delhi the present case is transferred to District & Sessions Judge, North West, Delhi having territorial jurisdiction of this case.

Let the parties appear before learned District & Sessions Judge, District North West, Rohini, Delhi on 30th January, 2020 for assigning the same to some court of competent jurisdiction.

The petition stands disposed of with aforesaid directions.

BRIJESH SETHI, J

JANUARY 09, 2020/r