

THE HONOURABLE Dr. JUSTICE D. NAGARJUN

TRANSFER CRIMINAL PETITION No.90 OF 2022

O R D E R:

This Transfer Criminal Petition is filed by the petitioner under Section 407 (2) of the Criminal Procedure Code (for short 'Cr.P.C.') seeking transfer of M.C.No.201 of 2022 pending on the file of the learned Principal District & Sessions Judge-cum-Family Court, Medchal-Malkajgiri District, to the Court of learned Family Judge, Rangareddy District at LB Nagar and try along with F.C.O.P.No.2964 of 2018.

02. Heard Sri Venkateswarlu Sanisetty, learned counsel for the petitioner as well as Sri T. V. Ramana Rao, learned Additional Public Prosecutor for the State / Respondent No.1 and Sri Bhukya Hanumantha Naik, learned counsel for the respondent No.2.

03. It is submitted by the learned counsel for the petitioner that the petitioner is the husband and the respondent No.2 is the wife and there are matrimonial disputes between them. The respondent No.2 herein / wife

filed M.C.No.201 of 2022 pending on the file of the learned Principal District & Sessions Judge-cum-Family Court, Medchal-Malkajgiri District. Respondent No.2/wife also filed C.C.No.3701 of 2019 on the file of the learned III Additional Metropolitan Magistrate, Rangareddy District at LB Nagar, registered for the offences under Sections 498-A, 323 and 506 of the Indian Penal Code and Sections 4 and 6 of the Dowry Prohibition Act. The petitioner herein / husband filed F.C.O.P.No.2964 of 2018 for restitution of conjugal rights pending on the file of learned Family Judge, Rangareddy District at LB Nagar.

04. It is further submitted by the learned counsel for the petitioner that CC and FCOP are pending before the respective Courts at Rangareddy District Courts Complex at LB Nagar and the MC is pending before Medchal-Malkajgiri Court and that the petitioner after reaching Hyderabad from Guntur and again have to travel another 21 km., to reach Malkajgiri Court, to attend both the Courts and thereby prayed for transfer of M.C.No.201 of 2022 pending on the file of the learned Principal District & Sessions Judge-cum-Family Court, Medchal-Malkajgiri District, to the Court of

learned Family Judge, Rangareddy District at LB Nagar and try along with F.C.O.P.No.2964 of 2018.

05. During the course of hearing, the learned counsel for the petitioner and the learned counsel for the respondent have reported no objection for transferring M.C.No.201 of 2022 pending on the file of the learned Principal District & Sessions Judge-cum-Family Court, Medchal-Malkajgiri District, to the Court of learned Family Judge, Rangareddy District at LB Nagar and to try along with F.C.O.P.No.2964 of 2018.

06. Considering the facts and circumstances of the case and on consent given by both sides, as M.C.No.201 of 2022 and F.C.O.P.No.2964 of 2018 are arising out of matrimonial disputes between the petitioner and the respondent No.2, this Transfer Criminal Petition is allowed transferring M.C.No.201 of 2022 pending on the file of the learned Principal District & Sessions Judge-cum-Family Court, Medchal-Malkajgiri District, to the Court of learned Family Judge, Rangareddy District at LB Nagar and to try along with F.C.O.P.No.2964 of 2018, for disposal in

accordance with law. There shall be no order as to costs.

As a sequel, pending Miscellaneous Applications in this matter, if any, shall stand closed.

Date: 19-Jan-2023
KHRM

DR. D.NAGARJUN, J

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