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

+ **TR.P.(CRL.) 28/2024**

STATE

..... Petitioner

Through: Ms. Richa Dhawan, APP with SI
Hemant, PS-Jafrabad, for State.

versus

LAKSHMI KUMAR

..... Respondent

Through:

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

19.03.2024

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1. This matter has been listed before Court on account of communication received from Mr. Rakesh Kumar Rampuri, Additional Sessions Judge (SC-POCSO), East District, Karkardooma Courts Delhi, on account of an order dated 23.02.2024 passed by the learned Judge which reads as under:

“.....

Ld. Counsel for accused has submitted that the present case is required to be transferred to some competent Court of Shahdara District as the present matter pertains to P.S. Zafrabad.

Perusal of record shows that the Ld. Predecessor vide order dated 11.10.2023 observed that Ld. Counsel for both the parties had submitted that the present matter pertains to P.S. Zafrabad and therefore, this file was put up before the Ld. Principal District & Sessions Judge, East with request to pass the appropriate order for trial of this case by some competent Court of Shahdara District. Perusal of record further shows that vide order dated 16.10.2023, Ld. Principal District & Sessions Judge, East has sent back this case to this Court with direction to take appropriate steps for transfer of this case, since the matter involves inter-District transfer, which cannot be passed by her Court and only the Hon'ble Delhi High Court has jurisdiction to transfer the same.

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In this situation, let the present file be put up before the Ld. Registrar General, Hon'ble Delhi High Court, New Delhi through Ld. Principal District & Sessions Judge, East, with request to put up the same before competent authority of Hon'ble Delhi High Court for passing appropriate order for transfer of this case to jurisdictionally competent Court in Shahdara District ”

2. From the reading of the order, it is evident that both counsels for parties had submitted before Court that the case pertains to PS: Jafrabad, and thus, the Court at Shahdara District has jurisdiction to try the case.
3. In view of the order passed and considering that PS-Jafrabad is under Shahdara District, which fact is also confirmed by learned APP, on instructions from the IO, who is present in Court, SC No.871/2016 titled “*State Vs. Lakshmi Kumar*” is transferred to Shahdara District.
4. Matter will be listed before Principal District & Sessions Judge, Shahdara District for appropriate orders, with advance notice to the parties.
5. Copy of order will be sent by the Registry to both Courts for necessary information and compliance.

JYOTI SINGH, J

MARCH 19, 2024

B.S. Rohella

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