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

+ **TR.P.(CRL.) 94/2024, CRL.M.A. 28413/2024**

ANKUR SACHDEVA

.....Petitioner

Through: Mr. Vishal Gosain, Mr. Pravir Singh,
Mr. Ajunee Singh and Ms. Himani
Aggarwal, Advs.

versus

STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Mukesh Kumar, APP for State.
Mr. Anurag Ahluwalia, Sr. Adv.
for R-2.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

02.12.2024

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1. Present petition has been filed for transfer of complaint case no. 620577/2016 titled as 'Arjun Chowdhary vs. Om Prakash Sachdeva & Ors.' pending before the learned Judicial Magistrate First Class-05, South East, Saket Courts, New Delhi to the Court of learned Judicial Magistrate First Class-05, South, Saket Courts, New Delhi before whom Criminal Case No. 996/2019 titled as 'State V. Om Prakash Sachdeva & Ors.' arising out of FIR No. 158/2007 PS Mehrauli is pending.
2. Mr. Vishal Gosain, learned counsel for the petitioner submits that practically both the matters are identical and it would be in the interest of justice that they be tried together by the same Court.
3. Mr. Anurag Ahluwalia, learned Senior Counsel for respondent No. 2, has vehemently opposed the petition. Learned Senior Counsel submits that



the arguments regarding the applicability of Section 210 Cr.P.C. are incorrect. It is further submitted that the subject matter of the State case and the complaint case are distinct and, therefore, do not need to be tried by the same Court. Furthermore, it has been submitted that the present case does not fall within any of the categories under Section 407 Cr.P.C. where jurisdiction can be exercised.

4. The Court has considered the submissions.

5. This Court will not delve into whether the subject matter of both cases is identical or if there is any commonality. Considering only the “general convenience” of the parties, this Court directs that Complaint Case No. 620577/2016, titled *Arjun Chowdhary vs. Om Prakash Sachdeva & Ors.*, be transferred from the Court of the learned Judicial Magistrate First Class-05, South East, Saket Courts, New Delhi, and assigned to the Court of the learned Judicial Magistrate First Class-05, South, Saket Courts, New Delhi.

6. The transferor Court is directed to send the entire record to the transferee Court. Parties are directed to appear before Ld. Principal District and Sessions Judge, South, Saket Courts on 16.12.2024.

7. Accordingly, the present petition stands disposed of.

8. Copy of the order be sent to learned Principal District and Sessions Judge, South, Saket Courts, New Delhi.

DINESH KUMAR SHARMA, J

DECEMBER 2, 2024/akc/na