Court No. - 13

Case :- TRANSFER APPLICATION (CRIMINAL) No. - 109 of 2024

Applicant :- Rajendra Prasad Singh
Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. Deptt. Of Home, U.P. Lko.
Counsel for Applicant :- Sushil Kumar Singh,Ayush Singh
Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh,J.

1. Heard Sri S.K. Singh, learned counsel for the applicant and learned A.G.A. for the State.

2. The present application is filed with the prayer to quash and set aside the impugned order dated 19.10.2024 passed by the District Judge, Sultanpur and transfer the Case of S.T. No.37/2015 (Case Crime No.335 of 2014) under Sections 147, 148, 149, 302 I.P.C., Police Station - Karaundi Kala, District - Sultanpur.

3. Learned counsel for the applicant submits that incident in question is of the year 2014 and trial of the case is pending since 2014. He also submits that all the evidences have already been collected by the Investigating Officer and case was listed for hearing but at the eleventh hour, learned Presiding Officer expressed his inability by writing a letter dated 16.10.2024 to the District & Sessions Judge, Sultanpur for transferring the trial of the case. He further submits that on 19.10.2024, learned District & Sessions Judge, Sultanpur transferred the trial of the case in question in the Court of Additional District & Sessions Judge, Court No.12. Learned counsel for the applicant submits that either trial of the case in question may be conducted by the District & Sessions Judge, Sultanpur or by any other Court except the Court of Additional District & Sessions Judge, Court No.12, Sultanpur.

4. Learned A.G.A. opposed the prayer of the applicant.

5. Considering the submissions of learned counsel

for the parties, going through the contents of the application as well as letter dated 16.10.2024 written by Mr. Jalal Mohammad Akbar, Additional District & Sessions Judge/F.T.C. I, Sultanpur, on which, the case was transferred to the Additional District & Sessions Judge, Court No.12, Sultanpur, as it is well settled by the Hon'ble Apex Court that principal of faith must be maintained in the judicial system, therefore, it is appropriate that trial of the case in question is to be conducted by Additional District and Sessions Judge, Sultanpur expeditiously and conclude the same, in accordance with the law.

6. With the above observations, present application is **disposed of**.

Order Date :- 26.11.2024
Gaurav/-

Digitally signed by :-
GAURAV PAL
High Court of Judicature at Allahabad,
Lucknow Bench