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

+ **TR.P.(CRL.) 3/2026**

SHAILENDER KAUR

.....Petitioner

Through: Mr. Aditya Dhawan, Ms. Kiran
Dhawan and Mr. Saurabh Duggal,
Advocates.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Tarang Srivastava, APP for
State with SI Sumit, PS: Sagarpur.

+ **TR.P.(CRL.) 4/2026**

SUMITI KAUR

.....Petitioner

Through: Mr. Aditya Dhawan, Ms. Kiran
Dhawan and Mr. Saurabh Duggal,
Advocates

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Tarang Srivastava, APP for
State with SI Sumit, PS: Sagarpur.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **16.01.2026**

CRL.M.A. 1539/2026 & CRL.M.A. 1568/2026 (for exemption)

Exemption allowed, subject to all just exceptions.

The applications stand disposed of.

TR.P.(CRL.) 3/2026 & TR.P.(CRL.) 4/2026

1. Issue notice. Mr. Tarang Srivastava, learned Additional Public



Prosecutor, accepts notice on behalf of the State.

2. The present transfer petitions, filed under Section 447 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seek transfer of cases arising under the Narcotic Drugs and Psychotropic Substances Act, 1985 [“NDPS Act”] from the Special Court, Patiala House Courts, New Delhi. The petitions have been preferred on the ground that the counsel engaged on behalf of the accused petitioners is unable to appear before the learned Special Judge, Patiala House Courts.

3. The FIRs forming the subject matter of the present transfer petitions are as under:

(a) TR.P.(CRL.) 3/2026, concerns FIR No. 0231/2025, dated 17.06.2025, registered at Police Station Sagar Pur, for the offences punishable under Section 21, 65 and 85 of the NDPS Act; and

(b) TR.P.(CRL.) 4/2026, concerns FIR No. 450/2025, dated 28.09.2025, registered at Police Station Sagar Pur, for the offences punishable under Section 21, 61 and 85 of the NDPS Act.

4. Mr. Aditya Dhawan, learned counsel for the petitioners, draws my attention to several orders passed by the learned Special Judge, wherein the learned Judge has recused from hearing matters involving the same counsel on the ground that the learned Judge and the counsel had shared a professional partnership while the learned Judge was at the Bar.

5. It is further submitted that, in similar circumstances, this Court has previously directed transfer of cases to other Special Courts. Copies of the orders dated 01.08.2025 passed in TR.P.(CRL.) 56/2025, 08.08.2025 passed in TR.P.(CRL.) 57/2025, 27.11.2025 passed in TR.P.(CRL.) 94/2025, and 16.12.2025 passed in TR.P.(CRL.) 104/2025, have been



placed on record in support of the present petitions.

6. Mr. Dhawan, accordingly, seeks a similar order in the present matters, so as to ensure that no delay is caused after the filing of his *vakalatnama*. He further confirms that no bail application filed by any of the co-accused is presently pending before the transferor court.

7. In view of the above, the transfer petitions are allowed with the direction that the cases arising out of FIR No. 0231/2025, dated 17.06.2025, and FIR No. 450/2025, dated 28.09.2025, both of which are presently pending before the ASJ/Special Judge under the NDPS Act, Patiala House Courts, New Delhi, shall stand transferred to the concerned Court having the jurisdiction to adjudicate cases under the NDPS Act at Shahdara District, Karkardooma Courts, Delhi.

8. The District and Sessions Judge, Shahdara District, Karkardooma Courts, Delhi, shall allocate these matters to an appropriate Court having competent jurisdiction. Parties are directed to appear before the Transferee Court on 02.02.2026. Accordingly, the petitions stand disposed of.

9. Copy of this order be sent to the concerned Principal District and Sessions Judge, for necessary information and compliance.

PRATEEK JALAN, J

JANUARY 16, 2026/SS/SD/