

CNR No. DLST01-005084-2026
T.P. CRL 46-2026
MS JR Vs. DIPESH SINGH AND ANR

01.08.2026

Present:- Ms. Amrita Jaiswal, Ld. LAC for applicant.

Sh. Ravi Dutt Sharma, Ld. Counsel for respondent no. 1.

**Sh. S.K. Kain, Ld. Chief Public Prosecutor for the
State/respondent no. 2.**

Heard. Perused.

Ld. Counsel for applicant seeks adjournment on the ground that applicant has sent request for her inability to appear today as she is not well today. However, adjournment is strongly opposed by Ld. Counsel for respondent on the ground that number of times applicant sought adjournment on the one ground or the other.

Arguments heard on the transfer application.

Ld. Counsel for applicant submits that there are four prayers clauses in the transfer petition.

The first two prayer clauses in the transfer petition are beyond the competence of this Court for transfer of this case. Ld. Counsel for applicant submits that she is not pressing the same.

As far as relief number 3 is concerned, Ld. Counsel for applicant submits that complainant has no faith on trial court, therefore, the same be transferred.

On the other hand, Ld. Counsel for respondent no. 1 submits that trial before trial court is already over since the final arguments have already been heard and only judgment is to be passed.

First of all I hereby hold that applicant is not entitled for the reliefs sought in prayer clause a. and b. of transfer petition, as the same

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were conceded by Ld. Counsel for applicant. As far as transfer petition is concerned, applicant has stated that she could not fully depose as she got nervous and tongue tied and did not have sufficient legal guidance to navigate her testimony.

On considering the submission made by applicant in transfer petition that she got nervous and tongue tied, then it cannot be said that Trial Court is biased, however, in para no. 5 it is stated that several important evidence have been lost or missed during the proceedings. However, nothing has been specified in the application what evidence has been lost or missed, so the same ground cannot be considered for transfer of the present case. Further on seeing para no. 8 of the transfer application, it is stated by applicant that she has few incidents which have shocked and concerned to her while in court premises, the foremost example of which is a document, which have already been submitted in the court having been denied by to be received by a certain judicial member. On perusal of the same, it found that said allegations are also found vague. However, in para 9 of transfer application applicant submitted that her case to be heard by different Court, so that she is able to get a just and fair hearing. Applicant has not specified the biasness of Judge of Ld. Trial Court or any misconduct done by Ld. Trial Court. Further, before Trial Court the final arguments have already been heard by Ld. Judge and only judgment is to be passed by Ld. Trial Court, therefore, it would cause unnecessary delay if case is transferred at this stage as in trial court arguments would be needed to hear again. Hence considering all the facts and circumstances, no ground is

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made out for transfer of the present case to other Court. Same is accordingly dismissed.

Transfer application/petition be consigned to record room.

Trial court record be sent back alongwith copy of this order for information.

(SANJEEV KUMAR AGGARWAL)
PRINCIPAL DISTT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI/ 01.08.2026