

CNR NO. DLNT01-001416-2026
T.P. CrI No. 7/2026
Bhupinder Singh Mehra @ Jhota @ Hardeep
Vs.
State

17.03.2026

Present : Sh. Lakshay Yadav, Ld. counsel for the petitioner.

Sh. Girish Giri, Ld. Addl. PP for the State.

This is a petition u/s 447 of BNSS filed by the petitioner seeking transfer of the State case bearing SC No. 214/2019 titled 'State Vs. Bhupinder Singh Mehra & Jhota @ Hardeep' arising out of FIR no. 464/2018 PS Prashant Vihar from the Court of Sh. Jagmohan Singh, Ld. ASJ-03, North District, Rohini Courts, Delhi to some other Court of competent jurisdiction.

The contents of the transfer petition filed by the applicant are not being elaborated for the sake of brevity and being a matter of record.

Report received from the concerned Court.

Submissions heard on the present transfer petition.

Record perused.

The grievance of the petitioner (accused before the Ld. Trial Court) is not any lack of faith in the judicial competence of the Ld. Presiding Officer but purely on the administrative ground of inordinate delay and heavily overburdened docket of the Ld. Trial Court. It is stated that the applicant has been incarcerated for a substantial period and examination of material witnesses have been pending for an unreasonable amount of time. It is further submitted that if a witness's testimony is split over several months

then the momentum is lost and the effectiveness of the cross-examination is severely blunted. It is further submitted that applicant wants to proceed with trial on day to day basis.

Per contra, Ld. Addl. PP for the State has contended that the Transfer petition is devoid of any merits as Ld. Presiding officer of the concerned court has been diligently conducting the proceedings as per law and the application may be out rightly dismissed.

Perusal of comments of the court concerned reveals that charge was framed on 17.05.2019 and presently the matter is at the stage of PE. It is reported that there are total 27 witnesses in the list of prosecution witnesses out of which 12 witnesses have been examined and considering the fact that accused is in J/C shortest possible dates were given in the present case. The Ld. Trial Court has a pendency of 950 cases out of which 192 are murder trials.

Having considered the submissions, this Court finds no substance in the grievance raised in the present transfer petition. The delay is attributable to the heavy docket and huge pendency of cases before the Ld. trial court which is an administrative circumstance beyond the control of the Ld. Trial Court. The diligence of the trial court in fixing shortest possible dates cannot be doubted. No mala fides or lack of competence has been alleged or established. Transfer of the case at this stage would not serve the ends of justice and may further delay the proceedings as other Sessions courts of this district are also over-burdened.

Accordingly, the transfer petition is dismissed being devoid of merits.

Copy of this order be sent to the learned Trial Court for information.

Transfer file be consigned to record room after necessary compliance.

(PREM KUMAR BARTHWAL)
Principal District & Sessions Judge
North District/Rohini Courts/Delhi
17.03.2026 (d)