



UPAG010030312026

IN THE COURT OF SESSIONS JUDGE, AGRA**Transfer Application No. 238 of 2026****Chotu Ram Sharma Vs State and Another****05.06.2026**

This file has been presented for order today and learned counsels for both the parties were heard on the previous date and the file has been perused for order.

This transfer application (3-C) has been moved by the applicant Ramakant u/S. 448 BNSS with the contentions, briefly stated, that the applicant is the accused in S.T. No. 1683/2025 State Vs. Mukesh and others under Case Crime No. 241/2021 which is currently pending in the court of Additional Sessions Judge, Court No. 25, Agra. On 20.02.2026 the prosecution witness Bhudev Prasad appeared before the court to testify. After his examination-in-chief was recorded, the applicant's counsel began cross-examination and during the cross-examination the Presiding Officer made some adverse remarks and stopped applicant's counsel from cross-examining the witness and adjourned the proceedings. On the same date, the applicant was taken into custody and made to stand for one hour which terrified the applicant. The aforementioned conduct and demeanour of Hon'ble Court has given rise to a strong apprehension in the mind of the applicant that he will not receive impartial justice in the present case, nor is a fair trial of the case possible before this court. On such grounds it has been prayed to transfer this case to any other competent court. Affidavit 4-C has been filed in support of application 3-C.

Learned D.G.C. (Criminal) appeared on behalf of the state and learned counsel for the O.P. No. 2 appeared and was supplied the copy however despite being afforded opportunity no written objection has been filed by him. Only oral objection has been raised by the learned counsel for the opposite party No. 2.

Comments have been received from the concerned Presiding Officer stating that he has no objection if the trial is transferred to another court as the dignity of his court would be saved and it has already been prayed by this court in its letter submitted to the Administrative Office. Further it has also

been mentioned in the order sheet dated 20.02.2026 that a request letter for transfer of the case to another court be forwarded to Hon'ble District Judge.

In this regard the concerned Presiding Officer sent a letter dated 20.02.2026 to the Administrative Office praying for a transfer of the aforesaid S.T. No. 1683/2024 State Vs. Mukesh so that the decorum of the judicial process is maintained and the learned counsel may realize that the conduct in the court is done within decorum.

Accordingly, in totality of such facts and circumstances, it would best serve the ends of justice if the case is made over to any other competent Court. As such, without expressing any opinion regarding the merits of the contentions raised vide the transfer application, it is liable to be allowed.

ORDER

This transfer application is hereby allowed. *Session Trial No. 1683/2024 State Vs. Mukesh and Others* is hereby recalled from the court of Additional Sessions Judge, Court No. 25, Agra and transferred to the court of Additional Sessions Judge, Court No. 13, Agra for disposal in accordance with law.

Let the concerned Courts be informed accordingly. This transfer application case is hereby finally disposed off accordingly.

Let this record be duly merged/consigned as per Rules.

**Sessions Judge,
Agra.
05.06.2026**