

UPAZ010020752026



IN THE COURT OF SESSIONS JUDGE, AZMGARH.
PRESENT: JAI PRAKASH PANDEY, H.J.S.
(J.O. Code UP 1883)

Criminal Misc. Case(Transfer Application) No.- 634 of 2026
Vijay Narain Singh Vs. Surendra Prasad Mishra

ORDER
23.03.2026

This transfer application has been moved on behalf of the applicant with the prayer to transfer the complaint no. 10722/2024 in any other competent court. In supported of the transfer application, the applicant has filed an affidavit.

Learned counsel for the applicant is present and has submitted that the complaint no. 10722/2024(Vijay Narain Singh vs. Surendra Prasad Mishra) under section 138 NI Act P.S. Atraulia, District Azagmarh is pending in the court of learned A.C.J.M., Court No. 12, Azamgarh. Since, the accused Surendra Prasad Mishra was a Member of the Legislative Assembly(MLA) at the time of occurrence, the jurisdiction for the trial of this case lies with the MP/MLA Court. Therefore, the aforesaid case should be transferred to the MP/MLA Court for disposal as per law.

The Presiding Officer of the concerned court has mentioned in his report that the above mentioned case is pending in that court at the stage of recording of the statement of the accused(bayan mulzim).

Heard learned counsel for the applicant and perused the record as well as report of the Presiding Officer of the concerned Court.

Upon perusal of the record and reports of the concerned Presiding Officers, it is found that the complaint no. 10722/2024(Vijay Narain Singh vs. Surendra Prasad Mishra) under section 138 NI Act P.S. Atraulia, District Azagmarh is pending in the court of learned A.C.J.M., Court No. 12, Azamgarh. It is found that the aforesaid case is related to the ex-Member of the Legislative Assembly(ex-MLA), so the jurisdiction to try the aforesaid case is vested in the designated Special MP/MLA Court i.e. A.C.J.M.(MP/MLA)/Civil Judge(Sr.D.), Azamgarh. Therefore, in the interest of justice, it is just and appropriate that the aforesaid case should be transferred and disposed off by the Special MP/MLA Court i.e. A.C.J.M. (MP/MLA)/Civil Judge(Sr.D.), Azamgarh. Hence, this transfer application deserves to be allowed.

ORDER

The transfer application is hereby allowed. The complaint no. 10722/2024 (Vijay Narain Singh vs. Surendra Prasad Mishra), under section 138 NI Act P.S. Atraulia, District Azamgarh, pending in the court of learned A.C.J.M., Court No. 12, Azamgarh, is hereby withdrawn and transferred to the court of A.C.J.M.(MP/MLA)/Civil Judge(Sr.D.), Azamgarh, for hearing and disposal in accordance with law.

(Jai Prakash Pandey)

Sessions Judge,
Azamgarh.

23.03.2026