



UPHR010011602026

In the Court of Sessions Judge, Hardoi

(J.O. Code- U.P. 5728)

Crl. Misc. Case No. 79/2026

Deepak Singh v. Ramrani & Anr.

Date: 30.03.2026

1. This transfer application u/s 448 B.N.S.S. has been filed by the applicant with the prayer that Misc. Case No. 234/2026, Deepak Singh v. Ramrani, P.S. Kotwali City, District Hardoi, pending in the Court of Addl. Chief Judicial Magistrate, Court No. 3, Hardoi and Case No. 58434/2025, Ramrani v. Deepak, P.S. Harpalpur, District Hardoi, pending in the Court of Civil Judge (J.D.)/F.T.C., Hardoi, be transferred to one and same Court.

2. Learned counsel for the applicant submitted that Complaint Case No. 58434/2025 is based on false facts, wrong evidence and a fake affidavit. The applicant has filed another Case No. 234/2026, u/s 379 B.N.S.S., 2023. Due to confusion regarding the jurisdiction, these two related cases are running in different Courts. According to the law, the Court where the original case is being heard should also hear the case filed u/s 379 B.N.S.S., 2023. It is necessary for justice that both these cases are heard together by one and same Court.

3. Reports have been received from both the Courts, which confirm the pendency of these cases in their Courts.

4. Heard learned counsel for the applicant and perused the record.

5. From the perusal of the files, it is found that Crl. Misc. Case No. 234/2026 has been filed by the applicant u/s 379 B.N.S.S. (Section 340 Cr.P.C.), in the Court of Addl. Chief Judicial Magistrate, Court No. 3, Hardoi. It is mentioned in this application that this case relates to Complaint Case No. 58434/2025, pending in the Court of Civil Judge (J.D.)/F.T.C., Hardoi. The applicant has mentioned in transfer application that due to confusion regarding the jurisdiction, Complaint Case No. 58434/2025, P.S. Harpalpur, District Hardoi and Crl. Misc. Case No. 234/2026, P.S. Kotwali City, District Hardoi are pending in different Courts. The applicant has himself filed Crl. Misc. Case No. 234/2026, pending in the Court of Addl. Chief Judicial Magistrate, Hardoi. While the misc. case u/s 379 B.N.S.S. (Section 340 Cr.P.C.) ought to have been filed in the Court in which Complaint Case No. 58434/2025 is pending as it is connected with this

complaint case. The applicant is at liberty to withdraw/not press the case u/s 379 B.N.S.S. (Section 340 Cr.P.C.) from the Court concerned and move fresh case u/s 379 B.N.S.S. (Section 340 Cr.P.C.). He has not stated that his case u/s 379 B.N.S.S. (Section 340 Cr.P.C.) will be barred by limitation, if he moves fresh application. Administrative power of transferring the case from one Court to another Court is not to be exercised for correction of the errors committed by party. Hence, transfer application is liable to be rejected.

Order

Transfer application filed by the applicant is hereby rejected. Consign.

Date: 30.03.2026

(Reeta Kaushik)

Sessions Judge,

Hardoi