

IN THE COURT OF SESSIONS JUDGE, SONBHADRA.
Criminal Misc. No. 376 of 2022
Bhuneshwar Vs. State.

10.11.2022

Case called out. Parties are present.

Heard on application 3Ka. This application has been moved under section 408 Cr.P.C. In this application, it has been stated that applicant is an accused in Crime No. 221 of 2022, under sections 147, 323, 504, 506, 325 IPC and 3(2) Va SC/ST Act, P.S. Robertsganj, District Sonbhadra and this applicant-accused has lodged an FIR in Crime No. 222 of 2021, under Sections 147, 323, 325, 504, 506 IPC, P.S. Robertsganj, District Sonbhadra against OPs. Both occurrences are of same time and same place. Case of crime No. 222 of 2021 State Vs. Vijendranath is pending in the court of Chief Judicial Magistrate, Sonbhadra. Both cases are cross-cases and case pending in the court of CJM, Sonbhadra be transferred to the court of Special Judge (SC & ST Act), Sonbhadra.

I perused provision contained under section 408 Cr.P.C in which power has been given to Sessions Judge for transfer of criminal case pending in sessions division from one court to another criminal court if required.

I perused FIR and report of above both cases. Cases appear to be a cross-case. In the opinion of court, both cases should be trial by one court. Hence, case pending in the court of CJM, Sonbhadra should be transferred to the court of Special Judge (SC & ST Act), Sonbhadra. Application 3Ka is liable to be allowed.

ORDER

Application 3Ka is allowed. Case No. 6535 of 2022 Crime No. 222 of 2021 State Vs. Vijendranath, under sections 147, 323, 325, 504, 506 IPC, P.S. Robertsganj, District Sonbhadra pending in the court of Chief Judicial Magistrate, Sonbhadra is transferred to the court of Special Judge (SC & ST Act), Sonbhadra for trial according to law.

Sessions Judge
10.11.2022