

CNR No:HRFB010107242026 CASE No:CRM-841-2026 Mohan Singh Patwal Vs. Vashaj Maini

CNR No:HRFB010107252026 CASE No:CRM-842-2026 Mohan Singh Patwal Vs. Ajay Maini

1

HRFB010107242026



Presented on : 22-07-2026

Registered on : 22-07-2026

Decided on : 11-08-2026

Duration : 0 years, 0 months, 20 days

Through complainant Mohan Singh Patwal Vs. Vanshaj Maini

OR

HRFB010107252026



Presented on : 22-07-2026

Registered on : 22-07-2026

Decided on : 11-08-2026

Duration : 0 years, 0 months, 20 days

Through complainant Mohan Singh Patwal Vs. Ajay Maini

**In the Court of Sessions Judge, Faridabad
(Presided Over by Sandeep Kumar Garg)**

TRANSFER APPLICATION

Argued by: Shri P.L. Sharma, counsel for applicants.

Shri Rajeev Vashisth, counsel for respondent.

ORDER:

Applicant Mohan Singh Patwal, as partner of M/s Balaji Industrial Services, Beech Ki Patti, Village Machgar, Ballabgarh, Faridabad has filed two transfer applications titled as “State through complainant Mohan Singh Patwal Vs. Vanshaj Maini” bearing CIS no.CRM/841/2026 and “State through complainant Mohan Singh Patwal Vs. Ajay Maini” bearing CIS no.CRM/842/2026, seeking transfer of anticipatory bail applications

(Sandeep Kumar Garg- UID no.HR0068)

Sessions Judge/Faridabad

Dt: 11.08.2026

filed by Vanshaj Maini and Ajay Maini in case FIR no.156 dated 03.06.2026 under Sections 420, 406, 467, 468, 471 and 120B of IPC, P.S. Sadar Ballabgarh from the Court of Shri Sandeep Yadav, learned Additional Sessions Judge, Faridabad to any other Court at Faridabad. Since both the transfer applications are in relation to one case and are preferred on identical grounds, both these applications are disposed off by this common order. Copy of the same shall be placed on both the transfer applications files.

2. Notice given to respondents (accused/petitioners). Replies furnished respectively in both applications. Main case files also requisitioned.

3. The applicant has averred that earlier anticipatory bail application was filed by respondent/accused in case FIR no.68, under Sections 406, 420 IPC, P.S. Adarsh Nagar, Faridabad (BA/2195/2026), assigned to the Court of Shri Sandeep Yadav, learned Additional Sessions Judge, Faridabad, on 01.04.2026, and same was allowed on 29.05.2026 after granting ten adjournments. The respondents, herein, preferred instant anticipatory bail applications wherein the Hon'ble Court has granted interim stay on the first day of bail applications despite the fact that offences are of serious in nature. Learned Court has also observed, in open Court, that the Court does not want to hear the present bail applications as matter is between same parties. Accordingly, a prayer was made to transfer the present bail applications to some other Court in view of apprehension that applicants would not get justice.

4. In replies furnished by respondents, it is averred that application

is totally misconceived; applicants have no locus to file instant applications; that anticipatory bail application is decided taking into consideration including nature of accusations, antecedents of accused, his likelihood of absconding, possibility of influencing witnesses, requirement of custodial interrogation and cooperation with the same and likelihood of tampering with evidence. The complainant has no independent right on these aspects hence, application is not maintainable. It is further averred that on 21.07.2026, Hon'ble Punjab and Haryana High Court dismissed two Criminal Miscellaneous Petitions titled **"Manoj Gulati Vs. State of Haryana and Anr."** CRM-M-39826-2026 (O & M) and CRM-M-39843-2026 (O & M), in reference to the case FIR no.68 dated 24.03.2026 registered at P.S. Adarsh Nagar, Ballabgarh observing that orders were passed on correct appreciation of facts. It is also averred that after dismissal of the said petitions, instant applications have been filed to seek transfer of present anticipatory bail applications. The present applications of applicant is an attempt to "Form hunt" the court of law. The reference of adjournment to another bail application, in connection with different FIR are wholly irrelevant and inconsequential merely on account of the fact that there has been no judicial order in favour of the applicant, and the same is not valid ground to seek transfer of judicial proceedings. It was denied that learned Presiding Officer (Shri Sandeep Yadav, learned Additional Sessions Judge, Faridabad) ever made remarks in open court, as alleged in the application. The grounds seeking transfer are imaginary. It has been repeatedly held by the higher courts that there must be credible material which demonstrates

that a fair trial is genuinely endangered. He prayed for dismissing the present applications.

5. I have heard learned counsel for applicants and respondents. I have also perused the main case files.

6. The applicant has sought transfer of the bail applications by giving reference to multiple adjournments, by the said Court, in another anticipatory bail application, in another FIR, qua the petitioners. That anticipatory bail application pertaining to FIR no.68 of 2026 was allowed and challenge by the complainant party of that case before Hon'ble High Court, seeking cancellation of bail was dismissed vide order dated 21.07.2026 whereby it was held that observations recorded in orders dated 13.04.2026 and 29.05.2026 are based on correct appreciation of facts and law, in the light of nature and substance of allegations against respondent(s) No.2.

7. It would be apposite to refer to authority titled as **Usmangani Adambhai Vahora Vs. State of Gujarat and another (2016) 3 Supreme Court Cases 370** wherein Hon'ble Supreme Court held that the power of Sessions Judge to transfer cases under Section 408 Cr.P.C is only warranted when there is real and reasonable apprehension of not getting fair and impartial trial. Forum shopping is to be guarded against. Seeking transfer at the drop of a hat is inconceivable. Order of transfer is not to be passed as matter of routine or merely because an interested party has expressed some apprehension about proper conduct of trial. Power has to be exercised cautiously and in exceptional situations, where it becomes necessary to do so

to provide credibility to trial. There has to be a real apprehension that there would be miscarriage of justice.

8. In case titled as “**Dinesh Chand Bansal Vs. State of Haryana and another**” CRM-M-72601-2025 decided on 30.01.2026, our Hon’ble High Court held that petitioner has failed to place on record any cogent material to establish any likelihood of bias or prejudice on the part of learned court below. It was also observed that from the totality of the facts of the case in hand, no perversity, illegality or jurisdictional error has been pointed out warranting interference by that Court.

9. In the present case also nothing material could be pointed out to transfer the anticipatory bail applications of the respondents/petitioners to some other court. Grant of anticipatory bail to accused/respondent in another case is no ground to transfer his other application, in other case. Otherwise, also the said bail order including interim bail order has been upheld by Hon’ble High court. The other ground that the Court had granted interim stay on the very first date of hearing is factually incorrect. Hence, in view of the above, I find no merit in the instant applications and same are hereby dismissed. Requisitioned files be sent back alongwith a copy of this order. Instant transfer applications file of this Court be consigned to record-room after due compliance.

Announced in open Court:

Dated: 11.08.2026

Lalita

(Sandeep Kumar Garg)

Sessions Judge, Faridabad

UID No.HR0068

Visit ecourts.gov.in for updates or download mobile app “eCourts Services” from Android or iOS

(Sandeep Kumar Garg- UID no.HR0068)

Sessions Judge/Faridabad

Dt: 11.08.2026