

Remp-247-2025

FIR No.: 476/03.12.2025

Under Section: 110, 115(2), 126(2), 118(1), 190, 191(3),
351(3) BNS

Police station: Ganaur

Present: Sh. Nikhil Kumar, APP for the State.
Sh. Sushil Kaushik, Advocate for applicant-accused Shakti,
Sahil, Rahul and Gaurav (accused are in custody produced
through VC)

The above named accused produced before the Court through VC.

Their presence has been marked.

Also today the case was fixed for consideration on the application
for sending the applicants/accused at District Jail, Panipat.

Report from District Jail Sonipat received. Arguments on application for
jail transfer of the accused/applicants heard.

It has been mentioned by the counsel for applicants/accused Shakti, Sahil,
Rahul and Gaurav is not safe in the Sonipat Jail. It is therefore requested that the
accused be transferred to any other jail.

Reply from Superintendent, District Jail, Sonipat was also filed, in which it
is stated that anti party namely Bahinswaliya gang, Neeraj Bawaniya Gang, Kala
Jathedi Gang, Monu Lalheri Gang, Krishan Gatha Gang, Monu Kidoli Gang, Bhau
Gang and Sheela Panchi gangs and co-accused are presently confined in District Jail,
Sonipat and the possibility of clashes among them during Court hearing, Hospital visit
and Mulakat etc. can not be ruled out, inspite of tight security. The jail authority has no
objection if the accused is transferred to District Jail Panipat from District Jail, Sonipat.

Arguments heard. Record perused. The Hon'ble Supreme Court of India in
the judgment of “*The State of Maharashtra & Ors. vs. Saeed Sohail Sheikh etc.*”,
has observed that:

“It is axiomatic that transfer of the prisoner from any such place
of detention would be permissible only with the permission of

the court under whose warrant the undertrial has been remanded to custody”.

In view of the said judgment, the remanding court is competent to adjudicate the matter regarding the transfer of the under trial prisoner from one jail to another. Considering the request made by learned counsel for the applicants/accused and grounds mentioned in the application and reply filed by the jail authorities, **the accused Shakti s/o Satbir, Sahil @ Gulshan @ Dola s/o Raj Kumar, Rahul @ Pattha s/o Ishwar and Gaurav @ Deni s/o Sahinder are ordered to be transferred from District Jail, Sonipat to District Jail, Panipat. Accordingly, the application stands allowed and disposed off.** Copy of the order be sent to District Jail, Sonipat for necessary compliance. Second copy be sent to Jail Superintendent, Panipat for information and necessary compliance. Same be also sent through e-mail.

Now case is adjourned to **06.01.2026** for awaiting of challan. Till then accused be kept in judicial custody and be produced before the court on the date fixed through VC.

Date of Order: 23.12.2025
Deepak

(Mansi Gaur)
Sub Divisional Judicial Magistrate,
Ganaur, UID No. HR0446