

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

T R A N S F E R P E T I T I O N (CRL.) NO(s). 90 OF 20 0 7

F A R I D A J A L A L

Petitioner(s)

V E R S U S

S H A K E E L A H M A D & O R S .

Respondent(s)

(With appln(s) for stay and office report)

W I T H T . P . (C R L) N O . 9 6 o f 2 0 0 7

(With Appln.(s)for stay and exemption from filing O.T. and office report)

Date: 15/ 0 4 / 2 0 0 8 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUS T I C E A.K. MATHU R
HON'BLE MR. JUS T I C E A F T A B ALAM

For Petitioner(s)

Ms. Ka m i ni J ai sw al,Adv.

For Respondent(s)

Mr. P a r m a n a n d Kata r a , Sr. Adv.
Mr. A.G. Kh an, Adv.
Mr. Vipin K. Saxena, Adv.
Dr. Kail as h Chand,Adv.

Mr. Gopal Singh, adv.
Mr. Anukul Raj, adv.
Mr. Manish Ku m a r , Adv.

UPON hearing counsel the Court made the following
O R D E R

The transfer petitions are allowed in terms of the signed order.

(Ajay Kr. J ain)
hawan)
Court Master
Master

(Vijay D
Court

(Signed order is placed on the file)
I N T H E S U P R E M E C O U R T O F I N D I A
C R I M I N A L O R I G I N A L J U R I S D I C T I O N

T R A N S F E R P E T I T I O N (CRL.) NO. 90 OF 20 0 7

Farida J al al

.... Petitioner

Versus

Shakeel Ahmad & Ors.

.... Respondents

WITH

T R A N S F E R P E T I T I O N (CRL.) NO. 96 OF 20 0 7

Farida J al al

.... Petitioner

Versus

Moti- Ur-Rehm a n & Ors.

.... Respondents

O R D E R

Heard learned counsel for the parties.

These petitions have been filed by the petitioner- wife for transfer of complaint cases, filed against her by the respondents herein, from J a m s h edpur, Jha r k h a nd and Darbh anga, Biha r to the District Court, New Delhi.

The case of the petitioner is that she was married on 24. 1 2 . 2 0 0 4 at Aligarh but the marri age could not fructify for one reason or the other. It is also stated by the petitioner that she is residing at Delhi since May, 19 9 5 and it is not possible for her to travel to J a m s h edpur and Darbha nga for contesting the two cases filed by the respondents.

Having regard to the facts and circumstances of the case, we are of the opinion that it will meet the ends of justice if the complaint cases pending at J a m s h edpur and Darbh anga are transferred to Delhi. Accordingly, we direct that Complaint Case being C/1 Case No. 20/ 2 0 0 7 titled as "Shakeel Ahmad Vs. Farida J al al, pending in the court of J M F C at J a m s hedpur, Jha r k h a nd and Complaint Case being CR No. 10/ 2 0 0 7 titled as "Moti-ur- Rehm a n Vs. Farida J al al & Ors." pending before the CJ M, Darbha ng a, Bihar be transferred to the District Judge, Delhi.

It will be open for the District Judge, Delhi to try these two cases himself or makeover the same to a court of competent jurisdiction for disposal in accordance with law.

The transfer petitions are allowed.

....J. (A.K. MATHU R)

....J. (AFT A B ALAM)

New Delhi,
April 15, 20 0 8