

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

TRANSFER PETITION (CRL.) NO(s). 89 OF 2013

K.V.S.RAO Petitioner(s)

VERSUS

C.B.I. & ORS. Respondent(s)
(With appln(s) for stay and office report)

WITH

T.P.(CRL) NO. 100 of 2013
(With appln. for stay and office report)

T.P.(CRL) NO. 108 of 2013
(With appln. for stay and office report)

T.P.(CRL) NO. 124 of 2013
(With appln. for discharge of advocate on record and stay and office report)

T.P.(CRL) NO. 125 of 2013
(With appln. for stay and office report)

Date: 10/03/2014 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RANJAN GOGOI

For Petitioner(s) Mr. Mukul Rohtagi, Sr. Adv.
in TP(Crl.)89/13 Mr. C.D. Singh, Adv.
Ms. Sakshi Kakkar, Adv.

In TP(Crl.)108/13 Mr. Huzefa Ahmadi, Sr. Adv.
Mr. Abdhesh Choudhary, Adv.
Mr. Amit Kumar, Adv.
Mr. sanjay Singh, Adv.
Mr. Sanjit Kumar, Adv.
Mr. Rajiv Ranjan Dwivedi, Adv.

Crl.M.P.No.5667/14 in Mr. S.D. Singh, Adv.
In TP(Crl.)124/13 Ms. Bharti Tyagi, Adv.
Mr. Jitender Singh, Adv.

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In TP(Crl.)100/13 Mr. Dayan Krishnan, Sr. Adv.
& Respondent No.3 in Mr. Nikhil Nayyar, Adv.
TP(Crl.)No.89/13 Mr. Ambuj Agrawal, Adv.
Ms. Akanksha, Adv.
Mr. Dhananjay Baijal, Adv.

In TP(Crl.)No.124 & Ms. Kumud Lata Das, Adv.
125/13 & Respt.Nos.4&5
in TP(Crl.)No.89/13

For Respondent(s) Mr. Sidharth Luthra, ASG
Mr. Rajiv Nanda, Adv.

Ms. Meenakshi Grover,Adv.
Ms. Supriya Juneja,Adv.
Mr. C.K. Sharma,Adv.
Mr. B.V. Balaram Das,Adv.

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

Heard learned senior counsel appearing on behalf of the petitioners as well as learned Additional Solicitor General appearing on behalf of the respondent-CBI.

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

In view of the order in transfer petitions, no order is required in Criminal Miscellaneous Petition for discharge of earlier advocate.

[Madhu Bala] [Savita Sainani]
Court Master Assistant Registrar
(Signed reprotable order is placed on the file)

REPORTABLE

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CRL.) NO. 89 OF 2013

K.V.S.RAO ...PETITIONER(S)

VERSUS

C.B.I. & ORS.RESPONDENT(S)

WITH

TRANSFER PETITION (CRL.)NO. 100 OF 2013
TRANSFER PETITION (CRL.) NO. 108 OF 2013
TRANSFER PETITION (CRL.) NO. 124 OF 2013
TRANSFER PETITION (CRL.) NO. 125 OF 2013

O R D E R

Heard learned senior counsel appearing on behalf of the petitioners as well as learned Additional Solicitor General appearing on behalf of the respondent-CBI.

After going into all the details furnished in the transfer petitions as well as the counter affidavit filed by the C.B.I., we are of the view that the petitioners have made out a case for transfer. It is the settled principle of law that when two or more cases are pending against the petitioners/respondents which are similar in nature can be transferred from one Court to another. In the case on hand the only objection projected by the learned Additional Solicitor General is that apart from the official witnesses, the other witnesses have to come from various places viz. Kanpur, Rampur, Bareilly, Ahmedabad, Lucknow, Patna, Kolkata, Rohtak, Latur, Chennai and Mumbai.

Taking note of the fact that most of the witnesses are either doctors or officers working in respective medical colleges and also of the fact that the ultimate decision was taken only at the ministerial level which is at Delhi, we feel that in the interest and convenience of all parties, all these cases are to be tried together at Delhi. Therefore, Criminal Case No. 5 of 2013 titled as Central Bureau of Investigation Vs. Dr. Keshav Kumar Agarwal & Ors. registered on the basis of the F.I.R. No. RC0062010A0014 of 2010 dated 22.5.2010 pending before the Court of Special Judge, Anti Corruption No. 4, CBI, Lucknow, is ordered to be transferred to the Court of Special Judge, C.B.I, Patiala House, New Delhi and is to be heard along with Criminal Case No. 3 of 2012 titled as Central Bureau of Investigation Vs. Dr. Anbumani Ramadoss & Ors.

The transfer petitions are allowed accordingly.

After transfer and receipt of all the required records, the transferee Court is directed to take all endeavour for early completion of the trial.

In view of the order in transfer petitions, no order is required in Criminal Miscellaneous Petition for discharge of earlier advocate.

.....CJI.
[P. SATHASIVAM]

NEW DELHI
10TH MARCH, 2014

.....J.
[RANJAN GOGOI]