

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). 136 OF 2006

POOJA SRIVASTAVA

Petitioner(s)

VERSUS

DEVENDRA MADHYAN

Respondent(s)

(With appln(s) for stay and c/delay in filing counter affidavit and office report)

Date: 03/01/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE DALVEER BHANDARI

For Petitioner(s)

Mr. Deba Prasad Mukherjee, Adv.

For Respondent(s)

Mr. Amit Sharma, Adv. for

Dr. Kailash Chand, Adv.

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.

The transfer petition stands allowed in terms of the signed order.

(J.S. Rawat)

(Kanwal Singh)

AR-cum-PS

Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CRL) NO. 136 OF 2006

Pooja Srivastava

Petitioner(s)

Versus

Devendra Madhyan

Respondent(s)

O R D E R

The present petition under Section 406 of the Code of Criminal Procedure (Cr.P.C.) has been filed by the petitioner-wife seeking transfer of Complaint Case No. 4204/05 titled as Devendra Madhyan v. Pooja Srivastava from Lucknow (State of Uttar Pradesh) to Ranchi (State of Jharkhand), where she resides with her parents.

Having heard the learned counsel on both sides, we are satisfied

that a case for transfer has been made out. Accordingly, we direct that

Complaint Case No. 4204/05 entitled Devendra Madhyan v. Pooja

Srivastava pending before the ACJM 2nd Court at Lucknow (Uttar

Pradesh) be transferred to a court of competent jurisdiction at Ranchi (State of Jharkhand). The concerned Court at Lucknow is directed to transmit forthwith the entire record pertaining to the aforesaid Complaint Case to the transferee Court for being heard and decided in accordance with law.

The Transfer Petition stands allowed accordingly.

.....J.
(ASHOK BHAN)

New Delhi;
January 03, 2007.

.....J.
(DALVEER BHANDARI)