

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CRL.) NO. 245 OF 2021

RAM SANEHI & ANR. PETITIONERS

VERSUS

STATE OF U.P. & ORS. RESPONDENTS

WITH

T.P.(CrI.) No. 605 OF 2022

T.P.(CrI.) No. 603 OF 2022

O R D E R

T.P. (CRL.) NO. 245 OF 2021

We have examined and perused the status report submitted by the Station House Officer (SHO) - Mr. Shambhu Nath of the Police Station - Kishan Garh, South West District, New Delhi. We have also examined the averments made in the transfer petition and heard the learned counsel for the parties. Looking at the nature of the allegations, the status report, and in the interest of justice, we allow the present transfer petition.

Accordingly, S.T. Case No. 463/2020 titled "*State vs. Raheesh Pal & Ors.*" arising out of First Information Report (FIR) No. 156/2020 dated 28.07.2020, registered at Police Station Hasayan, Hathras District, Uttar Pradesh, pending before the court of Special Judge SC/ST, Hathras District, Uttar Pradesh, is directed to be transferred to the court of District and Sessions

Judge/Presiding Officer, East District, Kakardooma Courts, Delhi, who may hear the case himself or assign it to a court of competent jurisdiction.

Records of the case would be forthwith transferred to the transferee court.

To cut short delay, parties are directed to appear before the transferee court in person on 11.04.2023. However, in case there is non-appearance, court notice would be issued to the defaulting party.

The transferee court would decide the matter expeditiously. Further, the transferee court will ensure that the witnesses who come from outside Delhi are not put to any inconvenience and harassment on account of adjournment by the counsel or the parties.

Pending application(s), if any, shall stand disposed of.

T.P.(Cr1.) No. 605 OF 2022

We have examined and perused the status report submitted by the Station House Officer (SHO) - Mr. Shambhu Nath of the Police Station - Kishan Garh, South West District, New Delhi. We have also examined the averments made in the transfer petition and heard the learned counsel for the parties. Looking at the nature of the allegations, the status report, and in the interest of justice, we allow the present transfer petition.

Accordingly, C.C. No. 1267 of 2021 titled "*State vs. Ram Sanehi & Ors.*" arising out of the First Information Report (FIR) No. 158/2020 dated 28.07.2020, registered at Police Station Hasayan, Hathras District, Uttar Pradesh, pending before the court

of Judicial Magistrate, Sikandra Rao, Hathras District, Uttar Pradesh is directed to be transferred to the court of District and Sessions Judge/Presiding Officer, East District, Kakardooma Courts, Delhi, who may hear the case himself or assign it to a court of competent jurisdiction.

Records of the case would be forthwith transferred to the transferee court.

To cut short delay, parties are directed to appear before the transferee court in person on 11.04.2023. However, in case there is non-appearance, court notice would be issued to the defaulting party.

The transferee court would decide the matter expeditiously. Further, the transferee court will ensure that the witnesses who come from outside Delhi are not put to any inconvenience and harassment on account of adjournment by the counsel or the parties.

Pending application(s), if any, shall stand disposed of.

T.P.(Cr1.) No. 603 OF 2022

We have examined and perused the status report submitted by the Station House Officer (SHO) - Mr. Shambhu Nath of the Police Station - Kishan Garh, South West District, New Delhi. We have also examined the averments made in the transfer petition and heard the learned counsel for the parties. Looking at the nature of the allegations, the status report, and in the interest of justice, we allow the present transfer petition.

C.C. No. 706 of 2021 titled "*State vs. Ram Sanehi & Ors.*" arising out of First Information Report (FIR) No. 161/2020 dated

28.07.2020, registered at Police Station Hasayan, Hathras District, Uttar Pradesh, pending before the court of Judicial Magistrate, Sikandra Rao, Hathras, Uttar Pradesh is directed to be transferred to the court of District and Sessions Judge/Presiding Officer, East District, Kakardooma Courts, Delhi, who may hear the case himself or assign it to a court of competent jurisdiction.

Records of the case would be forthwith transferred to the transferee court.

To cut short delay, parties are directed to appear before the transferee court in person on 11.04.2023. However, in case there is non-appearance, court notice would be issued to the defaulting party.

The transferee court would decide the matter expeditiously. Further, the transferee court will ensure that the witnesses who come from outside Delhi are not put to any inconvenience and harassment on account of adjournment by the counsel or the parties.

Pending application(s), if any, shall stand disposed of.

.....J.
(SANJIV KHANNA)

.....J.
(M.M. SUNDRESH)

NEW DELHI;
FEBRUARY 22, 2023.

ITEM NO.2

COURT NO.7

SECTION XVI-A

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

Transfer Petition(s)(Criminal) No(s). 245/2021

RAM SANEHI & ANR.

Petitioner(s)

VERSUS

STATE OF U.P. & ORS.

Respondent(s)

(IA No. 69873/2021 - EXEMPTION FROM FILING O.T.
IA No. 122851/2022 - EXEMPTION FROM FILING O.T.
IA No. 122848/2022 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 69872/2021 - STAY APPLICATION)

WITH

T.P.(Cr1.) No. 605/2022 (XVI-A)

(IA No. 138973/2022 - EX-PARTE STAY

IA No. 138974/2022 - EXEMPTION FROM FILING O.T.)

T.P.(Cr1.) No. 603/2022 (XVI-A)

(IA No. 138747/2022 - EX-PARTE STAY

IA No. 138751/2022 - EXEMPTION FROM FILING O.T.)

Date : 22-02-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s)

Ms. Jagrati Singh, AOR
Ms. Romil Pathak, Adv.
Mr. Romil Pathak, Adv.
Ms. Jagrati Singh, Adv.
Mr. Arvind C, Adv.
Mr. Subramaniam S, Adv.
Mr. Arvind. C, Adv.
Mr. Divyanshu Suman, Adv.
Ms. Aryan Pathak, Adv.
Ms. Vinay Bhardwaj, Adv.
Ms. Neha Pathak, Adv.
Mr. Aryan Pathak, Adv.
Mr. H. Manivannan, Adv.
Mr. H Manivannan, Adv.

Mr. Mehmood Pracha, Adv.
Mr. Sanawar Chaudhary, Adv.
Mr. Jatin Bhatt, Adv.
Mr. Dhruv Yadav, Adv.
Mr. Harshit Gahlot, Adv.
Mr. Mohd. Hasan, Adv.
Ms. K. V. Bharathi Upadhyaya, AOR

For Respondent(s)

Mr. Ratnakar Dash, Sr. Adv.
Mr. Shashank Shekhar Singh, AOR

Mr. Arun Kumar Singh, Adv.
Mr. Rameshwar Prasad Goyal, AOR

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

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

Pending application(s), if any, shall stand disposed of.

(BABITA PANDEY)
COURT MASTER (SH)

(R.S. NARAYANAN)
COURT MASTER (NSH)

(Signed order is placed on the file)