

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 (C R L .) N O . 1 3 5 O F 2 0 0 7

Y A S M E E N A K T A R & A N R .

Petitioner(s)

V E R S U S

A B D U L M A B O O D & O R S .

Respondent(s)

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

Date: 2 9 / 0 2 / 2 0 0 8 This Petition was called on for hearing today.

C O R A M :

H O N ' B L E M R . J U S T I C E A S H O K B H A N

H O N ' B L E M R . J U S T I C E D A L V E E R B H A N D A R I

For Petitioner(s) Mrs. K. Sarad a Devi, Adv. (SCLSC)

For Respondent(s)

Mr. Rajiv K ata ri a, Adv.

Ms. Debjani Pu r k ay ath a , Adv. for

M/s. Delhi Law Chambers, Advs.

UPON hearing counsel the Court made the following

O R D E R

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

(Subhash Chander)
Court Master

(Kanwal Singh)
Court Master

[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 (C R L .) N O . 1 3 5 O F 2 0 0 7

Yas meen Aktar & Anr.

.....P etitioners

Versus

Abdul Mabood & Ors.

.....Respondents

O R D E R

This petition has been filed under Section 406, C
r.P .C. by

petitioner no.1- wife and her mother seeking transfer of
C.R.Case

No.1 5 7 3 \ S \ 2 0 0 4 pending before Chief Judicial Magistrate,
Shillong,

Meghalaya, filed by responent no.1 against the petitioners and her family

to a court of competent jurisdiction at Lucknow, U.P.

The said complaint was filed by respondent no.1 pursuant to the complaint under Sections 498-A, 323, 504, 504, IPC r/w Sections 3 & 4 of Dowry Prohibition Act, lodged by petitioner no.1 against the respondent no.1 and his family at Lucknow, U.P.

Apart from the said complaint, petitioner no.1 has also filed a petition under Section 125, C.P.C. before Family Court, Lucknow.

Having regard to the facts and circumstances of the case,

particularly the fact that respondent no.1 has a residential house at Lucknow and he is defending two other cases at Lucknow, we deem it fit to

transfer C.R. Case No.1573 \ S \ 2004 pending before Chief Judicial

Magistrate, Shillong, Meghalaya to the District & Sessions

Judge, Lucknow, U.P., who shall try the case either himself or assign the same to

a court of competent jurisdiction. Ordered accordingly.
T. P.(Crl.)No. 135 / 07 (Contd.)

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Since two cases, viz., Crime Case No.14 / 2005 pending before Chief Judicial Magistrate, Lucknow and Case No.928 / 2005 pending before

Family Court, Lucknow are being tried at Lucknow and the C.R. Case No.1573 \ S \ 2004 has been ordered to be transferred to Lucknow, in order to avoid inconvenience to either of the parties, we direct that all the three cases be heard on same date as far as practicable.

The transfer petition is allowed accordingly.

Sd/-
.....J .
[ASHOK BHAN]

Sd/-
.....J .
[DALVEER BHANDARI]

New Delhi.
February 29, 2008 .