

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

Petition(s) for Special Leave to Appeal (Crl) No(s).5004/2010
(From the judgement and order dated 16/03/2010 in CRLMW
No.3601/2010 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

HITESH GUPTA

Petitioner(s)

VERSUS

STATE OF U.P.& ORS. Respondent(s)
(With appln. for directions and placing addl. facts and documents on
record)
(For final disposal)

WITH T.P.(CRL) NO. 285 of 2010
(With appln.for permission to file rejoinder affidavit)

T.P.(Crl.)No. 404-405 of 2010
(With appln. for permission to withdraw the petition)
(For final disposal)

Date: 08/09/2011 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P. SATHASIVAM
HON'BLE DR.JUSTICE B.S. CHAUHAN

For Petitioner(s) Mr. Sunil Kumar Jain,Adv.
Mr. Aneesh Mittal,Adv.

Mr. Shakeel Ahmed,Adv.
Ms. Sadiya Shakeel,Adv.

For Respondent(s) Mr. Shail Kumar Dwivedi,AAG
For R.No.1 Mr. T.N. Singh,Adv.
Mr. Rajeev Dubey,Adv.
Mr. Kamalendra Mishra,Adv.

For 2 in TP(crl.) Mr. Vivek Vishnoi,Adv.
285/10 & 1 in TP Mr. M.R. Shamshad,Adv.
(Crl.)404-05/10

...2/-

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UPON hearing counsel the Court made the following

O R D E R

T.P.(Crl.)No.285 of 2010

Heard learned counsel for the petitioner as
well as for respondent no. 2.

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

T.P.(Crl.)Nos.404-405 of 2010

Transfer petitions are dismissed as withdrawn
in terms of the signed order.

SLP(Crl.)No. 5004 of 2010

In view of our order in T.P.(Crl.)No.285 of
2010 the issue raised in this special leave petition
becomes infructuous. Accordingly, the same is
dismissed as no further order is required.

[Madhu Bala] [Savita Sainani]
Sr.PA Court Master
(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA

CRIMINAL ORIGINAL/APPELLATE JURISDICTION

TRANSFER PETITION(CRIMINAL)NO. 285 OF 2010

HITESH GUPTAPETITIONER

VERSUS

THE S.O. MAHILA THANA, JHANSI & ORS.RESPONDENTS

WITH

TRANSFER PETITION(CRIMINAL)NOS.404-405 OF 2010

AND

SPECIAL LEAVE PETITION(CRIMINAL)NO. 5004 OF 2010

O R D E R

T.P.(CRL.)NO. 285 OF 2010

Heard learned counsel appearing for the petitioner as well as for respondent no. 2.

We are satisfied with the grievance expressed by the petitioner. Therefore, Criminal Complaint Case No. 51 of 2008 titled as State Vs. Hitesh Gupta & Ors. and Case No. 9745 of 2008 titled as Smt. Akansha Gupta Vs. Shri Hitesh Gupta & Ors. both pending in the Court of Chief Judicial Magistrate, Jhansi are ordered to be transferred to the Court of District Judge, Karkardooma Courts, Delhi.

The District Judge is directed either to decide himself or assign it to a competent Court having jurisdiction.

The transfer petition is, accordingly, allowed.

...2/-

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T.P.(Crl.)Nos.404-405 of 2010

Learned counsel appearing for the petitioner seeks permission to withdraw the transfer petitions. Permission is granted. The transfer petitions are dismissed as withdrawn.

Crl.Misc. Petitions for permission to withdraw the transfer petitions are allowed.

SLP(CRL.)NO. 5004 OF 2010

In view of our order in T.P.(Crl.)No.285 of 2010 the issue raised in this special leave petition becomes infructuous. Accordingly, the same is dismissed as no further order is required.

.....J.
[P. SATHASIVAM]

NEW DELHI
8TH SEPTEMBER, 2011

.....J.
[DR. B.S. CHAUHAN]