

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.) NOS. 35 OF 2008

RAMA NAND PAWAR

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA & ORS.
(With appln(s) for stay)

Respondent(s)

Date: 19/03/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE T.S. THAKUR

For Petitioner(s) Mr. Nishesh Sharma, Adv.
Mr. Tajinder Singh Chabbra, Adv.
Ms. Harvinder Chaudhary, Adv.
Mr. S.C. Patel, Adv.

For Respondent(s) Ms. Madhavi Diwan, Adv.
Mr. Sanjay Kharde, Adv.
Ms. Asha Gopalan Nair, Adv.
Mr. Ravindra Keshavrao Adsure, Adv.

Mr. Manoj K.Mishra ,Adv
Mr. Amit Yadav, Adv.

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

The transfer petition is disposed of.

[Charanjeet Kaur] [Pushap Lata Bhardwaj]
Court Master Court Master

[Signed order is placed on the file]
IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CRIMINAL) NO. 35 OF 2008

Rama Nand Pawar

.. Petitioner(s)

Versus

State of Maharashtra & Ors.

.. Respondent(s)

O R D E R

In the affidavit filed on behalf of the State of Maharashtra, it is stated that as and when the petitioner namely, Rama Nand Pawar and his daughter Neelam Pawar, who have been cited as witnesses in Sessions Case No. 84 of 2007 pending before the trial Court concerned, visit

Mumbai for the purpose of recording of their statements, proper police protection shall be provided to them and every step shall be taken to ensure that both of them depose before the Court free from any fear or pressure from the accused side. Learned counsel appearing for the State also assures the Court that necessary instructions shall be issued by the Director General of Police, Mumbai to the authorities concerned to provide full protection to the aforementioned persons, the moment they reach Mumbai.

The statement of the said two witnesses shall be recorded on day to day basis.

..2/-

: 2 :

In view of the affidavit as well as the assurance given by the learned counsel for the State, we do not find any ground for transfer of the trial from Mumbai to Delhi.

Accordingly, the transfer petition is disposed of.

Before parting with the case we would direct the Director General of Police, Mumbai to ensure that in future no counter affidavit on behalf of the State police is filed by an Officer below the rank of Joint Commissioner of Police.

.....J.
[D.K. JAIN]

.....J.
[T.S. THAKUR]

NEW DELHI,
MARCH 19, 2010.