

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). 275 OF 2004

SAMDEV DASGUPTA

Petitioner(s)

VERSUS

STATE OF PUNJAB & ANR.

Respondent(s)

(With appln(s) for stay)

Date: 18/03/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P. VENKATARAMA REDDI

HON'BLE MR. JUSTICE A.K. MATHUR

For Petitioner(s)

Mr. H.N. Salve, Sr. Adv.

Mr. Mukul Rohtagi, Sr. Adv.

Mr. Sanjiv Sen, Adv.

Mr. Praveen Swarup, Adv.

For Respondent(s)

Mr. Rakesh K. Dwevedi, Sr. Adv.

Mr. Atul Nanda, Addl. A.G.

Mr. Arun Kumar Sinha, Adv.

UPON hearing counsel the Court made the following

O R D E R

Transfer petition is disposed of in terms of the signed order.

(Meenu Sethi)

(Pushap Lata Bha

rdwaj)

Court Master

Court Maste

r

Signed order is placed on the file

CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION(CRIMINAL) NO.275/2004

Samdev Dasgupta
Petitioner

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VERSUS

State of Punjab & Anr.
Respondents

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O R D E R

We are not inclined to direct transfer of the case at this stage especially

having regard to the fact that the investigation has been concluded and the charge sheet

has been filed. It is not appropriate to express any view on the merits of the prosecution

in this proceeding. However, we consider it just and proper to direct that the personal

presence of the petitioner shall not be insisted upon subsequent to the framing of the

charge unless otherwise directed by the trial Court in its discretion. We would also like

to observe that in case any complaint of threats against the petitioner while in the State

of Punjab shall be looked into by the learned trial Judge.

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as regards the
allegations made by the petitioner against the Punjab police personnel in his affidavit
dated 12.3.2005. It is for the petitioner to pursue the remedies open to
him in law in
respect of that.

The transfer petition is disposed of with the above observations.

.....J.

(P.VENKATARAMA REDDI)

.....J.

(A.K.MATHUR)

New Delhi,

March 18, 2005