

IN THE SUPREME COURT OF INDIA

CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CRIMINAL) NO.162 OF 2017

RICHHPAL SHARMA . . .PETITIONER(S)

VERSUS

UDAY SWARUP AND ORS. . .RESPONDENT(S)

ORDER

1. We have heard the learned counsels for the parties.

2. No case for transfer is made out at this stage. We, however, make it clear that it is open for the petitioner to challenge any of the orders passed till date by the learned trial Court, if the petitioner is so aggrieved. Furthermore, if the petitioner is aggrieved by the manner in which the prosecution is conducted by or any specific act/conduct of the accused at any subsequent stage it will

be open for the petitioner to avail of such remedies as may be open to him in law. The petitioner will also be at liberty to move the learned trial Court for appropriate orders/directions with regard to an independent Public Prosecutor to conduct the prosecution.

3. With the aforesaid observation, the transfer petition is disposed of.

.....,J.
(RANJAN GOGOI)

.....,J.
(R. BANUMATHI)

NEW DELHI
NOVEMBER 21, 2017

ITEM NO.8

COURT NO.3

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 (CRIMINAL) NO(S). 162/2017

RICHHPAL SHARMA

PETITIONER(S)

VERSUS

UDAY SWARUP & ORS.

RESPONDENT(S)

Date : 21-11-2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s)

Ms. Meenakshi Arora, Sr. Adv.
Mr. Sanjay Jain, Adv.
Ms. Tajinder Viridi, Adv.
Mr. Aftab Ali Khan, AOR

For Respondent(s)

Mr. Vijay Hansaria, Sr. Adv.
Mr. Alok Singh, Adv.
Mr. B.R. Menon, Adv.
Ms. B. Vijayalakshmi Menon, AOR

Mr. A.K. Sanghi, Sr. Adv.
Mr. Ajay Sharma, Adv.
Mr. P.K. Dey, Adv.
Mr. Saish L. Mani Shinde, Adv.
Mr. Mukesh Kumar Maroria, AOR

Mr. Sudhansu Palo, AOR

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

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

[VINOD LAKHINA]

AR-cum-PS

[ASHA SONI]

BRANCH OFFICER

[SIGNED ORDER IS PLACED ON THE FILE]