

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 169 OF 2019

BANWARI LAL BADOLA & ANR.

PETITIONERS

VERSUS

THE STATE OF UTTAR PRADESH & ANR.

RESPONDENTS

O R D E R

It is stated that the petitioner No. 1 has expired, which fact has been confirmed by the learned counsel for the State.

Having heard the learned counsel for the parties, we decline the request for transfer of the criminal proceedings in Case No. 1563 of 2016 titled "State Vs. Banwari Lal Badola & Anr., pending before the Court of Additional Chief Judicial Magistrate-7, Allahabad, Uttar Pradesh to a court of competent jurisdiction at Rishikesh, Uttarakhand, as it may cause difficulty to the official witnesses and delay the trial. We would, however, request the trial court to grant exemption from personal appearance to the petitioner No. 2, in case she moves an application under Sections 205 and 317 of the Code of Criminal Procedure, 1973. She will be represented by an advocate, but would be personally present on the date when she answers the charge, or when her statement, if any, is recorded under Section 313 of the Code of Criminal Procedure, 1973.

Recording the aforesaid, the transfer petition is dismissed.

Pending application(s), if any, stands disposed of.

.....J.
(SANJIV KHANNA)

.....J.
(J.K. MAHESHWARI)

NEW DELHI;
AUGUST 30, 2022.

ITEM NO.4

COURT NO.12

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(s)(Criminal) No(s). 169/2019

BANWARI LAL BADOLA & ANR.

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ANR.

Respondent(s)

(IA No. 33944/2019 - EX-PARTE STAY
IA No. 33945/2019 - EXEMPTION FROM FILING O.T.)

Date : 30-08-2022 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE J.K. MAHESHWARI

For Petitioner(s)

Mrs. Namita Sharma, AOR
Mr. Vivek Sharma, Adv.
Mr. Harsh Nautiyal, Adv.
Mr. Fareek-ul-Farooq, Adv.

For Respondent(s)

Mr. Ardhendumauli Kumar Prasad, AAG
Mr. Adarsh Upadhyay, AOR
Ms. Shreya Srivastava, Adv.
Mr. Ashish Madaan, Adv.
Mr. Aman Singh Bhadauria, Adv.
Ms. Ananya Sahu, Adv.
Mr. Ajay Kumar Srivastava, AOR
Mr. Dharendra Kumar, Adv.
Mr. Ashutosh Dubey, Adv.
Ms. Jyoti Tiwary, Adv.

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

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

Pending application(s), if any, stand disposed of.

(BABITA PANDEY)
COURT MASTER (SH)

(DIPTI KHURANA)
ASSISTANT REGISTRAR

(Signed order is placed on the file)