

ITEM NO.14

COURT NO.14

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). 445/2021

SAPNA BATRA

Petitioner(s)

VERSUS

ANKIT TYAGI

Respondent(s)

(FOR ADMISSION and IA No.138524/2021-EX-PARTE AD-INTERIM RELIEF)

Date : 10-11-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Mr. Md. Shahid Anwar, AOR
Mr. Intakhab Alam, Adv.
Mr. Satish Solanki, Adv.
Mr. Zulfiqar Ali Khan, Adv.

For Respondent(s)

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

Heard the learned counsel appearing for the petitioner.

The present petition seeks transfer of a complaint filed by the respondent alleging commission of an offence punishable under Section-138 of the Negotiable Instruments Act, 1881 against the petitioner. The complaint is pending before the Judicial Magistrate, 1st Class at Ganaur at Sonapat, Haryana. The petitioner is seeking transfer of the said complaint to the Court at Dwarka in New Delhi. The case of the petitioner is that she is residing in Delhi along with her in-laws and she has a six months old child.

Admittedly, the traveling time between the place of residence of the petitioner and the Court in which complaint is pending is of

about one hour. If petitioner is not in a position to attend the proceedings on formal dates on the ground that she has to look after her child, she can always apply for grant of exemption. I am sure that, if such an application is made, the concerned Court will consider it sympathetically.

Subject to what is observed above, no case for transfer is made out. Hence, petition is dismissed.

(NISHA KHULBEY)
SENIOR PERSONAL ASSISTANT

(BEENA JOLLY)
COURT MASTER (NSH)