

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION(Criminal) No(s). 73-74/2020

PREETI SINGH

Petitioner(s)

VERSUS

AMIT SINGH & ORS.

Respondent(s)

O R D E R

On perusal of the Office Report dated 4th February, 2022 as well as 14th May, 2022, it is noted that respondent nos.1-5 have refused service of notice issued by this Court. Hence, they are deemed to have been served. In the circumstance, I have heard only learned counsel for the petitioner.

These transfer petitions have been filed under Section 406 of Code of Criminal Procedure, 1973 read with Order XXXIX of Supreme Court rules, 2013 seeking transfer of Complaint No. 3341/2014, titled as "*Smt. Preeti Singh vs. Anil Singh & Ors.*", pending before the Court of A.C.M.M.-VII, Kanpur Nagar and complaint No. 3342/2014 titled as "*Smt. Preeti Singh vs. Anil Singh & Ors.*", pending before the Court of A.C.M.M.-VII, Kanpur Nagar to

the competent Court of learned Magistrate, District and Sessions Court, Buxar, Bihar.

Learned counsel for the petitioner submitted that these complaints were filed before the competent Court at Kanpur Nagar since the petitioner was residing that time at the said place but on account of death of her father, she is living at the mercy of her mother and brother owing to financial stringencies at Buxer, Bihar.

Learned counsel for the petitioner further stated that after the death of petitioner's father, it is although more difficult for her to prosecute these complaints at Kanpur Nagar. In the circumstance, she has requested this Court to allow these transfer petitions.

As already noted respondents have refused service of notice and hence they are deemed to have been served and there is no representation on behalf of the respondents.

Having regard to the submissions made by learned counsel for the petitioner and on perusal of the material on record, I deem it fit and proper to transfer these petitions. Consequently, Complaint No. 3341/2014, titled as "*Smt. Preeti Singh vs. Anil Singh & Ors.*", pending before the Court of A.C.M.M.-VII, Kanpur Nagar and complaint No. 3342/2014 titled as "*Smt. Preeti Singh vs.*

Anil Singh & Ors., pending before the Court of A.C.M.M.-VII, Kanpur Nagar, are directed to be transferred to the competent Court of learned Magistrate, District and Sessions Court, Buxar, Bihar.

The transfer petitions are allowed and disposed of accordingly.

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

.....J.
[B.V. NAGARATHNA]

New Delhi;
May 18, 2022.

ITEM NO.1604

COURT NO.11

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). 73-74/2020

PREETI SINGH

Petitioner(s)

VERSUS

AMIT SINGH & ORS.

Respondent(s)

IA No. 20770/2020 - EX-PARTE STAY)

Date : 18-05-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s) Mr. Dhruv Dwivedi, Adv.
Mr. Sachin Sharma, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E RThe transfer petitions are allowed and disposed of in terms of
the signed Order.

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

(JATINDER KAUR)
SENIOR PERSONAL ASSISTANT(NISHA TRIPATHI)
ASSISTANT REGISTRAR

[Signed order is placed on the file]