

**IN THE SUPREME COURT OF INDIA**  
**CRIMINAL ORIGINAL JURISDICTION**  
**TRANSFER PETITION (CRIMINAL) NO.447 OF 2017**

**PRADEEP KUMAR GUPTA           ...PETITIONER(S)**

**VERSUS**

**CENTRAL BUREAU OF  
INVESTIGATION (C.B.I.)           ...RESPONDENT(S)**

**ORDER**

1.           Heard the learned counsels for the parties.

2.           By this transfer petition, the accused petitioner seeks transfer of a proceeding under the Prevention of Corruption Act (i.e. Special Case No.01/2011, titled as "CBI Vs. Pradeep Kumar Gupta" arising out of F.I.R. No.RC0102010A0013 dated 21.4.2010) presently pending in the court of 3<sup>rd</sup> Special Judge (CBI) Bankshali, Kolkata, West Bengal to a Special CBI Court in

Delhi. The principal ground on which the transfer has been sought for is that though the accused petitioner had visited the State of West Bengal in connection with the trial on as many as 33 occasions not much progress has been made and, therefore, the proceedings may be transferred to Special CBI Court at Delhi.

3. On due consideration we are of the view that the above may not constitute a sufficient basis for granting the relief sought for inasmuch as the trial appears to have made some progress though the learned counsels for the parties are not in a position to indicate the precise stage thereof.

4. Be that as it may, taking into account the fact that majority of the witnesses, yet to be examined, are from the State of West Bengal we decline the prayer

for transfer but direct the learned trial Court to expedite the trial. We also leave it open for the accused petitioner to file an application seeking exemption from personal appearance which application as and when filed will be considered by the learned trial Court in accordance with law having regard to the relevant facts and circumstances as may be stated therein.

5. With the aforesaid observations the present transfer petition is dismissed.

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

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

NEW DELHI  
APRIL 03, 2018

ITEM NO.4

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). 447/2017

PRADEEP KUMAR GUPTA

PETITIONER(S)

VERSUS

CENTRAL BUREAU OF INVESTIGATION (C.B.I) RESPONDENT(S)  
(FOR ADMISSION AND IA NO.121393/2017-EX-PARTE STAY)

Date : 03-04-2018 This petition was called on for hearing today.

CORAM :

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

For Petitioner(s)

Mr. Ranjit Kumar Sharma, AOR

For Respondent(s)

Ms. Sushma Manchanda, Adv.  
Mr. R. Nair, Adv.  
Mr. Mukesh Kumar Maroria, AOR

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

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

[VINOD LAKHINA]

AR-cum-PS

[ASHA SONI]

BRANCH OFFICER

[SIGNED ORDER IS PLACED ON THE FILE]