

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CRIMINAL) NO.70 OF 2020

Vikas Kumar . . .Petitioner

VS.

Deepali & Ors. . .Respondents

O R D E R

This petition has been filed by the petitioner (husband) under Section 406 of the Code of Criminal Procedure, 1973 seeking transfer of Complaint Case No.1553 of 2019 titled as "Deepali vs. Vikas Kumar", pending in the Court of Chief Metropolitan Magistrate, District East, Karkardooma Courts, Delhi to Roorkee Ramnagar Court, District Haridwar, Uttarakhand.

Notices were issued in this petition on 11.02.2020 and have been duly served on the respondents. The respondent Nos. 2 and 3 (proforma respondents) have put in appearance but, nobody has appeared for the respondent No.1(wife).

It is also noticed that another transfer petition, being T.P. (Civil) No.1927 of 2019, was filed on behalf of the present petitioner, seeking transfer of M.T.No.34 of 2019 between the same parties from the Court of Principal Judge, Family Court, District East, Karkardooma

Courts, Delhi; and that petition was allowed by this Court on 09.07.2020, transferring the said matter to the Family Court Roorkee, Haridwar, Uttarakhand.

It is pointed out that the petitioner is handicapped with visual impairment and cannot travel by himself.

Having considered the circumstances in their totality, we are of the view that in the interest of justice, transfer of the proceedings, as prayed for, is warranted.

Accordingly, this transfer petition is allowed and it is directed that Complaint Case No.1553 of 2019, titled as "Deepali vs. Vikas Kumar", shall stand transferred from the Court of Chief Metropolitan Magistrate, District East, Karkardooma Courts, Delhi to Roorkee Ramnagar Court, District Haridwar, Uttarakhand.

The parties shall be at liberty to apply before the transferee Court for appearing through the video conferencing mode.

The records of the case be transferred to the transferee Court forthwith.

Pending applications also stand disposed of.

.....J.
[DINESH MAHESHWARI]

.....J.
[KRISHNA MURARI]

New Delhi;
January 28, 2022.

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). 70/2020

VIKAS KUMAR

Petitioner(s)

VERSUS

DEEPALI & ORS.

Respondent(s)

(IA No. 20078/2020 - STAY APPLICATION)

Date : 28-01-2022 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s) Mr. Mohd. Irshad Hanif, AOR
(SCLSC)

For Respondent(s) Mr. C.George Thomas, Adv.
Mr. Gaurav Agrawal, AOR

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 also stands disposed of.

(ANITA MALHOTRA)
COURT MASTER

(RAM SUBHAG SINGH)
COURT MASTER

(Signed order is placed on the file.)