



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. CrI. Misc. Trnfr. Pet. No. 6/2021

Salman Khan S/o Sh. Salim Khan, Aged About 55 Years, B/c Indian, R/o 3 Galaxy Apartment, B.J. Road, Band Stand, Bandra, Mumbai.

----Petitioner

Versus

1. State Of Rajasthan
2. Punam Chand Bishnoi S/o Sh. Bhepa Ram Bishnoi, B/c Bishnoi, R/o Bagro Ki Dhani, Kankani, P.S. Luni, Dist. Jodhpur.
3. Saif Ali Khan S/o Mansur Ali Khan, R/o Belscoat Bungalow No. 5, Lokhand Wala Complex, Andheri West, Mumbai (Maharashtra).
4. Neelam D/o Shishir Kothari, B/c Hindu, R/o 8th Floor, Laxmi Niwas, 16th Road, Khar West, Bandra, Mumbai (Maharashtra).
5. Tabbsum @ Tabu D/o Jamal Hashmi, B/c Musalman, R/o Flat No. 2, Anukul Apartment, Varsova, Mumbai (Maharashtra).
6. Sonali D/o Ashok Bendre, B/c Hindu, R/o E-401, Madhuvan Apartment, Yari Road, Varsova, Andheri, Mumbai (Maharashtra).
7. Dushyant Singh S/o Karan Singh, B/c Rajput, Akhey Niwas, Air Force Road, Jodhpur.

----Respondents

For Petitioner(s) : Mr.Vikram Choudhary, Sr. Adv.
assisted by Mr.Hastimal Saraswat, &
Ms.Rekha, Advocates.

For Respondent(s) : Mr.Farzand Ali, AAG assisted by
Mr.Mukhtiyar Khan

HON'BLE MR. JUSTICE MANOJ KUMAR GARG

Order



05/03/2021

Instant Criminal Misc. Transfer Petition has been filed by the petitioner seeking transfer of Criminal Appeal Nos. 18/2018, 22/2017 and Criminal appeal filed by complainant Punamchand pending before the court of District and Sessions Judge, Jodhpur District to this Court for consideration alongwith Criminal leave to Appeal No. 311/2018.

Learned counsel for the petitioner submits that all the three appeals referred to above arise from a common judgment dated 05.04.2018 in FIR No. 93/1998 pending before the court of learned Sessions Judge, Jodhpur and against the same judgment being aggrieved by the acquittal, the State of Rajasthan has also preferred Leave to Appeal being Criminal Leave to Appeal No. 311/2018 before this Court, therefore, ends of justice will be met if these three appeals be heard and decided together by the same Court alongwith Criminal Leave to Appeal No. 311/2018. Learned counsel for the petitioner has placed reliance on the order passed by co-ordinate Bench of this Court in the case of 'Salman Khan Vs. State of Raj.' (S.B. Criminal Misc. Petition No. 23/2011) decided on 04.11.2011 wherein, this Court while exercising power under Section 386 Cr.P.C allowed similar transfer petition and directed the Criminal Appeal pending in the court of learned Sessions Judge, Jodhpur to be transferred to the High Court.

Issue notice to the respondents.

Mr.Farzand Ali, AAG accepts notice on behalf of the respondent No.1. Let notices be issued to respondents No.2 to 7 only, returnable within four weeks.



Learned Additional Advocate General seeks four weeks' time to file reply.

Time prayed for is allowed.

List the matter on 09.04.2021, as prayed.

In the meanwhile, Meanwhile, the learned Sessions Judge, Jodhpur District is directed not to proceed in Criminal Appeal No. 18/2018, Criminal Appeal No. 22/2017 and Criminal appeal filed by Poonam Chand Bishnoi.



(MANOJ KUMAR GARG),J

