

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CRIMINAL) No.126/2020

ASHFAQ HUSEN & ORS. Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ANR. Respondent(s)

O R D E R

On hearing learned counsel for the petitioners, it was put to the learned counsel that in view of the given circumstances, including the order of detention under NSA reciting the ground reality and the episodes alleged to have occurred in the Court and the affidavits of the counsel for the petitioners, the transfer can be made to another place but there is no necessity to transfer it out of the State of U.P.. On such a query being put, learned counsel for the petitioners requests that the matter be transferred to Prayagraj, U.P.

Learned counsel for the State however, submits that there are nearer Districts to Lucknow where the matter can be transferred as the travelling distance between Lucknow to Prayagraj by the express way would still be over three hours. There are stated to be 173 witnesses.

On the aforesaid plea, learned counsel for the petitioners submits that the transfer to Barabanki or to Rai Bareilly would not give the best of legal assistance to the petitioners, which was available in Lucknow and can be made available at Prayagraj.

In the conspectus of all the facts and circumstances, it is found appropriate to transfer the trial of the case to the District Court, Prayagraj. U.P. Ordered accordingly

The transfer Petition is, accordingly, allowed.

.....J.
[SANJAY KISHAN KAUL]

NEW DELHI;
SEPTEMBER 24, 2021.

ITEM NO.27 Court 6 (Video Conferencing) SECTION XVI-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Transfer Petition(Criminal) No. 126/2020

ASHFAQ HUSEN & ORS. Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ANR. Respondent(s)

(IA No. 49909/2021 - EXEMPTION FROM FILING O.T.
IA No. 33390/2020 - STAY APPLICATION)

Date : 24-09-2021 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

For Petitioner(s) Ms. Meenakshi Arora, Sr. Adv.
Mr. Somesh Chandra Jha, AOR
Mr. Ejaz M. Qureshi, Adv.
Mr. Rahul Narang, Adv.

For Respondent(s) Mr. V.K. Shukla, Sr. Adv.
Mr. Adarsh Upadhyay, AOR
Mr. Ajay Kr. Prajapati, Adv.
Mr. Amol Chitravanshi, Adv.

Mr. Hari Shankar Jain, Adv.
Mr. Ankur S. Kulkarni, 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 applications stand disposed of.

[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)

[Signed order is placed on the file]