

CASE NO.:
Transfer Petition (crl.) 21 of 2005

PETITIONER:
Shiv Raj Bhakhari

RESPONDENT:
Sona Bandhu & Anr

DATE OF JUDGMENT: 07/03/2008

BENCH:
CJI K. G. Balakrishnan & R. V. Raveendran

JUDGMENT:
JUDGMENT
O R D E R

TRANSFER PETITION (CRL.) No. 21 OF 2005

Heard learned counsel for the petitioner as well as second respondent. Though, notice was served on the first respondent, he has not chosen to appear.

2. The petitioner seeks transfer of the complaint case by the first respondent against him alleging cheating, filed before the Court of Judicial Magistrate, First Class, Betia, District West Champaran, Bihar. The petitioner alleges that he is a permanent resident of New Delhi and has never gone to Bihar. Petitioner alleges that the first respondent has lodged a false case against him, at the instance of second respondent. Second respondent denies the said allegation.

3. Without expressing any opinion on the merits of the case, we order that the Complaint Case No.2484-C/2004 titled Sona Bandhu Sil vs. Shiv Raj Bhakhari, pending in the Court of Judicial Magistrate, First Class, Betia, District West Champaran (Bihar), shall stand transferred to the Court of Chief Judicial Magistrate, Delhi.

4. The Transfer Petition is allowed accordingly.