

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

TRANSFER PETITION (CRL.) NO(s). 165 OF 2007

SHILPA SHETTY

Petitioner(s)

VERSUS

POONAM CHAND BAHNDARI & ORS.

Respondent(s)

(With appln(s) for stay,impleadment, CORRECTION and office report))

Date: 21/11/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY  
HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR

For Petitioner(s) Mr. Sanjay Sharawat,Adv.

For Respondent(s) Mr. Jatinder Kumar Bhatia,Adv.

Mr. B.S. Mor,Adv.  
Mr. Rukan Singh Tevitia,Adv.  
Mr. Keshav Rai,Adv.  
Mr. Rahul Sejwal,Adv.  
Mr. R.C. Kaushik ,Adv

Mr. Anand Grover,Adv.  
Mr. Naveen R. Nath ,Adv  
Ms. Amrita Sharma,Adv.  
Mr. Darpan K.M,Adv.

Mr. Anupam Lal Das ,Adv

Mr. Abhay Kumar ,Adv  
Mr. Mrinal B. Adv.

UPON hearing counsel the Court made the following

O R D E R

The Transfer Petition is allowed in terms of the signed order, as such no orders are required on the application for impleadment.

(KUSUM SYAL)  
SR.P.A

(VINOD KULVI)  
COURT MASTER

(Signed Order is placed on the file)  
IN THE SUPREME COURT OF INDIA  
CRIMINAL ORIGINAL JURISDICTION

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O R D E R

We have heard learned counsel for the petitioner and

learned counsel for the respondent nos. 2 and 5.

Other respondents, have not appeared, despite service.

We have gone through the grievance expressed by the petitioner for transfer of the cases and we find they are reasonable.

Therefore, (i) Criminal Complaint No. 7210 of 2007 pending in the Court of Jaipur Chief Metropolitan Magistrate Court Room No.4 ( Jaipur City Jaipur) titled Shri Rikhab Raj Bhandar vs. Shilpa Shetty, (ii) Criminal Complaint Case titled Bhoop Singh & Anr. vs. Shilpa Shetty & Ors. pending in the Court of Learned Civil Judge (A.B.) and Judicial Magistrate First Class, Mundawar, Alwar, (Rajasthan) Case No.Nil and (iii) Complaint No. 7559 of 2007 pending in the Chief Metropolitan Magistrates Court, Ghaziabad titled Rukan Singh Tevtia vs. Shilpa Shetty & Ors. are ordered to be transferred to the Court of Chief Metropolitan Magistrate, Bombay.

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The Chief Metropolitan Magistrate, is either to decide the cases himself or may assign it to a competent Court having jurisdiction.

We make it clear that we are not making any observation on the merits of the cases.

We further make it clear that during the pendency of the proceedings before the Courts in Jaipur City, Mundawar, Alwar, Rajasthan and also at Ghaziabad, certain orders were passed, but in view of this transfer order those orders need not be given effect to. Both the parties are at liberty to pray for necessary orders before the transferee Court.

In the meantime, if the petitioner and the respondents want to leave India or come to India, they can do so after obtaining orders from the transferee Court. If the petitioner files a petition under Section 205 of the Code of Criminal Procedure before the transferee

Court, the same may be considered in accordance with law.

The Transfer Petition is, accordingly, allowed.

.....J  
(ASOK KUMAR GANGULY)

.....J  
(JAGDISH SINGH KHEHAR)

New Delhi;  
Dated: November 21, 2011