

IN THE COURT OF SESSIONS JUDGE, INDORE (M.P.)
(Presided by - Ajay Shrivastava)

Registration No. MJCR 330/2026
Filing No. MRCR 3987/2026
CNR No. MP0901-004698-2026
Date of Filing: 17-01-2026

Kishore Wadhvani S/o Khanchand Wadhvani,
R/o 65-B, Premnagar, Indore

-Applicant

versus

State of Madhya Pradesh through Police
Station Tukoganj, Indore

-Non-applicant

Counsel for Applicant	Sushri Bhagyashree, Advocate.
Counsel for Non-applicant	Shri Yogesh Jaiswal, AGP.

:: O R D E R ::

(Delivered on 05th February, 2026)

1. Applicant has filed an application under Section 448 of BNSS for seeking transfer of the Session Trial No. 536/2025 pending in the Court of XXVIth Additional Sessions Judge Indore to another competent Court at Indore.

2. The facts of the application in brief are that the said Session Trial no. 536/2025 under Section 420, 467, 468 IPC is fixed for hearing in the Court of XXVIth Additional Sessions Judge Smt. Shubhra Singh. The father of the Presiding Officer, Smt. Shubhra Singh, Shri Shambhu Singh (who recently passed away) had close relation with the applicant/accused. There is no allegation against the Presiding Officer of the Trial Court, but in view of the above circumstances, it is necessary to transfer this

case to another Court so that no allegations are raised against the Presiding Officer and no dispute arises in this regard and for a fair and impartial trial. Therefore it has been prayed that the aforesaid case be transferred to another competent Court. Applicant has filed an affidavit in support of transfer application.

3. Learned Counsel for applicants have argued same points as mentioned in above.

4. Learned AGP appearing for non-applicant has opposed the transfer application and prayed for dismissing it.

Point for determination

5. Whether the grounds taken by applicant in application under section 448 of BNSS are reasonable, bonafide and sufficient and application is liable to allowed ?

Findings and reasons

6. Perused the aforesaid record of Session Trial, it is revealed that this case is fixed for argument on application under Section 250 of BNSS and argument on charge on 16-02-2026.

7. Presiding Officer Smt. Shubhra Singh has submitted in her comments that her father, the late Justice Shambhu Singh, never had any connection with the accused/applicant in this case. Until his death, She never heard him regarding the accused, nor did she ever see them visiting her father's residence. She has also submitted that an MJC case was also filed against these accused in her Court, which she has disposed. No objections were raised by the accused in that case. It is also submitted that she was

posted as Special Judicial Magistrate, CBI, Indore from 2009 to March 2012. At that time, She also tried these accused's case and conducted proceedings until her transfer. In the present case, it is important to mention that after her posting in present Court, she has conducted the proceedings from 17-09-2025 to 15-01-2026. Since she was repeatedly insisting on argument on the charge and no long date was being given for argument on the charge, this is probably the reason for moving the transfer application. She has submitted that her late father never had any connection with the accused.

8. As far as the question of transfer of the case on the ground of the close relationship of the father of the Presiding Officer Smt. Shubhra Singh, late Justice Shri Shambhu Singh, with the accused is concerned, the Presiding Officer, Smt. Shubhra Singh has clearly mentioned in her comments that her father, late Justice Mr. Shambhu Singh, had no relation with the accused in the case, nor did she ever hear any discussion about the accused from his mouth, nor did she ever see the accused coming or going to her father's residence. Thus, the grounds taken by applicant in transfer application are not confirmed from the comments of Presiding Officer.

9. Therefore, the application filed by applicant u/s. 448 of BNSS., is hereby dismissed.

10. A copy of order be sent to the concerning Court for information/compliance.

Order dated, signed and
Delivered.

Typed on my dictation.

sd
(Ajay Shrivastava)
Sessions Judge Indore (MP)
dated : 05-02-2026

sd
(Ajay Shrivastava)
Sessions Judge Indore (MP)