

**IN THE SUPREME COURT OF INDIA**  
**CRIMINAL ORIGINAL JURISDICTION**  
**TRANSFER PETITION (CRL.) No.903 OF 2025**

**AASHIMA**

**... PETITIONER**

**Versus**

**THE STATE OF PUNJAB & ANR.**

**... RESPONDENTS**

**WITH**

**TRANSFER PETITION (CRL.) No.968 OF 2025**

**AASHIMA**

**... PETITIONER**

**Versus**

**UNION OF INDIA & ANR.**

**... RESPONDENTS**

**O R D E R**

1. T.P. (Crl.) No.903/2025 has been filed by the complainant whose husband died in an alleged hit-and-run case of road accident on 02.02.2025. The deceased was travelling on a bike from Hoshiarpur to Phagwara (in the Punjab State) when the unfortunate incident took place. It is alleged that the black Creta car which caused the accident was being driven by respondent No.2, who is a Probationer Judicial Officer in the State of Punjab. The above-stated incident led to registration of FIR No.5/2025, registered at Police Station Rawalpindi, District Kapurthala, under Sections 281,

125(a) and (b), 324(4) and 106(1) of BNS. The Criminal case arising out of the aforesaid FIR bearing No. CHI-279-2025 is pending in the Court of Judicial Magistrate, First Class, Phagwara, Punjab. In the backdrop that respondent No.2 is a Probationer Judicial Officer, that the petitioner seeks transfer of the above stated trial from Punjab to NCT of Delhi.

2. The second case, namely, T.P. (Criminal) No.968/2025 has been filed by the petitioner-complainant seeking transfer of the proceedings pending before the Punjab and Haryana High Court at Chandigarh bearing No.CRM-M No. 23548 of 2025, seeking a direction for transfer of the investigation in the above-stated FIR from Punjab Police to Central Bureau of Investigation.

3. During the course of hearing, learned Senior Counsel representing respondent No.2 in the lead case, namely, the accused-Judicial Officer, has taken a fair stand that he has no objection if the pending trial is shifted from Punjab to New Delhi.

4. In view of this, we allow the Transfer Petition (Criminal) No.903 of 2025 and consequently, Case No. CHI-279-2025, titled "State vs. Pankaj Garg", which is pending in the Court of Judicial Magistrate, First Class, Phagwara, Punjab is ordered to be transferred to the Court of Chief Metropolitan Magistrate, Rohini Courts, New Delhi along with the entire record.

5. The learned Judicial Magistrate to whom the transfer case shall be entrusted, will get the entire record translated from Gurumukhi to Hindi or English. The petitioner shall be at liberty to seek further investigation in the matter.

6. The Petitioner (victim-complainant) shall be at liberty

to move an application before the transferee court, namely, the Judicial Magistrate in Delhi, seeking further investigation, if so required. Such an application shall be decided by the learned Judicial Magistrate in accordance with law and after hearing the parties concerned. In case, it is found that any further investigation is required, the same shall be entrusted to the Delhi Police.

7. In view of the above, T.P. (Crl.) No.968/2025 is also allowed in the above terms.

8. At this stage, learned Senior Counsel for respondent No.2- Judicial Officer points out that a Motor Accident Claim case has also been filed by the petitioner - Aashima before the Motor Accident Claims Tribunal bearing No. Claim Petition/27/2025 at Kullu (Himachal Pradesh). Learned counsel/Senior Counsel for the parties fairly agreed that it will be in the interest of the parties that the aforesaid case is also transferred to Delhi so that all cases can be taken up on the same date for the convenience of the parties.

9. Consequently, MACT Case bearing No. Claim Petition/27/2025, pending at Kullu (Himachal Pradesh) is also ordered to be transferred to the Court of Principal District Judge, Rohini Courts, Delhi. Both the above-mentioned transferee courts may make an endeavour to list the matters preferably on the same date for the convenience of the parties.

10. Similarly, the respondent-accused being a probationer Judicial Officer, may be granted exemption from personal appearance, save and except when his personal appearance is

necessary. However, such exemption shall be granted subject to the condition that:

- (i) The respondent-accused will join the proceedings online to mark his presence.
- (ii) His counsel shall remain present in the Court.
- (iii) The respondent-accused shall have no objection in recording of evidence in his absence and in the presence of his counsel.
- (iv) Counsel for respondent No.2-accused shall not seek any adjournment on whatsoever ground.
- (v) The party shall extend full cooperation to the Trial Court for expeditious disposal of the cases.

11. It is clarified that we have not expressed any opinion on the merits of the case.

12. As a sequel to the above, the pending interlocutory applications stand disposed of.

.....J.  
(SURYA KANT)

.....J.  
(JOYMALYA BAGCHI)

NEW DELHI;  
OCTOBER 30, 2025.

ITEM NO.3+18

COURT NO.2

SECTION XVI-A

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGSTransfer Petition(s)(Criminal) No(s).903/2025

AASHIMA

Petitioner(s)

VERSUS

THE STATE OF PUNJAB &amp; ANR.

Respondent(s)

IA No. 246832/2025 - EXEMPTION FROM FILING O.T.

With

T.P.(CrI.)No.968/2025

FOR ADMISSION

IA NO. 268078/2025 - Exemption from filing O.T.)

Date : 30-10-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For Petitioner(s) Mr. Raja Choudhary, Adv.  
Ms. Anushika Mishra, Adv.  
Mr. Kapil Kumar Sharma, Adv.  
Mr. Rajesh Singh Chauhan, AORFor Respondent(s) Mr. Neeraj Kumar Jain, Sr. Adv.  
Mr. Siddharth Jain, AOR  
Mr. Vidyut Kayarkar, Adv.

Mr. Siddhant Sharma, AOR

UPON hearing the counsel the Court made the following  
O R D E RThe Transfer Petitions are allowed in terms of the signed  
order.As a sequel to the above, the pending interlocutory  
applications stand disposed of.(SATISH KUMAR YADAV)  
ADDITIONAL REGISTRAR(PREETHI T.C.)  
ASSISTANT REGISTRAR

(signed order is placed on the file)