

**IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION**

TRANSFER PETITION (CRIMINAL) NOS.502-509 OF 2024

NATIONAL INVESTIGATION AGENCY

PETITIONER(S)

VERSUS

**MD. NOOR HUSSAIN @ TOMBA @ NUR HASAN
& ORS.**

RESPONDENT(S)

O R D E R

1. These Transfer Petitions under Section 13(2) of the National Investigation Agency Act, 2008 (for short "the Act") and Section 406 of the Criminal Procedure Code, 1973 (for short "the Code") are at the instance of the National Investigating Agency (Ministry of Home Affairs, Union of India) praying for transfer of the following cases from the NIA's Special Court, Imphal, District Imphal, State of Manipur to the NIA Special Court, Gauhati (Assam):-

- (i) Criminal Misc. Case No.21 of 2024
- (ii) Criminal Misc. Case No.22 of 2024
- (iii) Cril. Misc Case No.23 of 2024
- (iv) Cril.Misc. Case No.24 of 2024
- (v) Criminal Misc. Case No.25 of 2024
- (vi) Criminal Misc. Case No.26 of 2024

(vii) Criminal Misc. Case No.28 of 2024 and

(viii) criminal Misc Case No.118/2023

2. We have heard Ms. Aishwarya Bhati, the learned ASG appearing for the NIA and the learned counsel appearing for the accused persons in the 08 cases referred to above. The transfer has been prayed for essentially on the ground that the situation at present in the State of Manipur is not conducive for the purpose of conduct of free and fair trial of the cases referred to above. In such circumstances, the NIA has made a request to this Court to transfer all the 08 cases to the NIA Special Court Gauhati, State of Assam.

3. We take notice of the order passed by this Court dated 25.08.2023 in Special Leave Petition (C)Diary No. 19206/2023 by which 27 different cases were ordered to be transferred from the State of Manipur to the State of Assam.

4. Having regard to the situation as prevailing in the State of Manipur all the 08 criminal cases referred to in the prayer clause of these transfer petitions are directed to be now conducted by the NIA Special Court, Gauhati (Assam).

5. The NIA Special Court, Imphal, Manipur shall transfer the record and the proceedings of all the 08 cases

to the NIA Special Court Gauhati, State of Assam at the earliest.

6. The learned counsel appearing for the different accused persons expressed apprehension that it may be difficult for their clients to travel from the State of Manipur to the State of Assam more particularly those accused who are on bail.

7. To take care of such apprehension, we permit the accused persons who are on bail to join the proceedings in the Court at Gauhati on Video Conferencing platform. The trial court shall permit the accused to do so if a request is made in this regard.

8. With the aforesaid, these transfer petitions stand disposed of.

9. Pending application(s), if any, stand disposed of.

.....J.
[J.B. PARDIWALA]

.....J.
[R. MAHADEVAN]

NEW DELHI,
26th November, 2024

ITEM NO.1

COURT NO.15

SECTION II

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) Nos. 502-509/2024

NATIONAL INVESTIGATION AGENCY

Petitioner(s)

VERSUS

**MD. NOOR HUSSAIN @ TOMBA @ NUR
HASAN & ORS.**

Respondent(s)

(FOR ADMISSION)

Date : 26-11-2024 These petitions were called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE R. MAHADEVAN**

For Petitioner(s) Mrs. Aishwarya Bhati, A.S.G.
Mr. Chitvan Singhal, Adv.
Mrs. Misha Kumar, Adv.
Mrs. Chitrangda Rastavara, Adv.
Mr. Praneet Pranav, Adv.
Mr. Arvind Kumar Sharma, AOR

Ms. Manisha Chava, Adv.
Ms. Anupriya Srivastava

For Respondent(s) Mr. Sundeep Shrivastava, Adv.
Mr. Paran Kumar, Adv.
Mr. Tushar Manohar Khairnar, AOR

Mr. Siddhartha Borgohain, Adv.
Ms. Farhat Jahan Rehmani, AOR
Mr. Monis Faridi, Adv.

Mr. Ahanthem Henry, Adv.
Mr. Ahanthem Rohen Singh, Adv.
Mr. Mohan Singh, Adv.
Mr. Aniket Rajput, Adv.

Ms. Khoisnam Nirmala Devi, Adv.
Mr. Kumar Mihir, AOR

Mr. Deepak Bounthiyal, Adv.
Mr. J.M.Timotny, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The transfer petitions are disposed of in terms of the
signed order.

Pending application(s), if any, stand disposed of.

(CHANDRESH)
COURT MASTER (SH)

(POOJA SHARMA)
COURT MASTER (NSH)

(Signed order is placed on the file)