



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 981 OF 2025

Abhijit Janardan Kharat and Others

...Applicants

Versus

The State of Maharashtra and Another

...Respondents

* * *

Ms. Ankita Chindage i/b Mr. Vishal Rankhambe, Advocate for the Applicants.

Ms. Priyanka S. Rane, APP for Respondent – State.

* * *

CORAM : ABHAY J. MANTRI, J.

DATE : AUGUST 20, 2026

PER COURT :

1. Mr. Chindage, learned counsel holding for Mr. Rankhambe, learned counsel appearing for the Applicant, submits that Mr. Rankhambe has given no objection and has returned the file to the Applicant.

2. It is pertinent to note that on the last date, none appeared for the Applicant. Therefore, the following order was passed:

- “1. None appears for the Applicants, either in the Court Hall or through V.C. mode, when the matter is called out.
2. Perused the Application.
3. It appears that on 19th December, 2025, notice was issued to the Respondents. However, the Applicants had not supplied a spare copy of the Application; therefore, notice could not be issued to Respondent No.2.
4. By order dated 19th January, 2026, this Court had categorically directed the parties in the bunch of Writ Petitions to supply spare copies within one week and, upon supply of the copies, to issue

notice to the Respondents. Pursuant to the said order, notice was issued to Respondent No.2; however, the same is still awaited.

5. *Learned A.P.P. submitted that Devgad and Oros, both Talukas, are located within the Sindhudurg District. Therefore, the Applicants must file the Application before the learned Sessions Judge, not before this Court.*
6. *It further appears that the Applicants are not interested in prosecuting the matter.*
7. *List the Application on 20th August, 2026 under the caption “For Hearing/Dismissal”.*

3. Today also, none appears for the Applicant either in the Court-Hall or through V. C. mode. Perused the Application. It appears that the Applicant is seeking transfer of the criminal proceedings pending before the learned Judicial Magistrate First Class, Devgad, to the Court of the learned JMFC/Civil Judge Senior Division, Oros. Both the Talukas fall within the Sessions Division of Sindhudurg District. In view of the proviso to sub-clause (2) of Section 447 of the BNSS, the Applicant ought to have approached the learned Sessions Court for such transfer.

4. In view of the above, I do not find any merit in the Application. Moreover, the Applicant has remained absent even today, which indicates that the Applicant is not interested in prosecuting the matter. Hence, ***the Application is dismissed for want of prosecution.***

(ABHAY J. MANTRI, J.)