

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL REVISION APPLICATION NO. 31 OF 2015

Amol s/o Santosh Chaudhary,
Aged: 36 years, Occ: Private Service,
R/o. D-2-1202, Ganga Skies, Pimpri,
Pune-18.

...Applicant

versus

The State of Maharashtra & anr.

...Respondents

.....
Mr. S.S. Randive, Advocate for applicant
Mr. S.R. Palnitkar, A.P.P. for respondent No. 1
Mr. S.P. Tilve, Advocate for respondent No. 2
.....

CORAM : N.W. SAMBRE, J.

DATE : 9th SEPTEMBER, 2015

ORAL ORDER :

Pursuant to the provisions of Section 177 of the Code of Criminal Procedure, the applicant-husband raised objection about the jurisdiction of Family Court, Aurangabad in an application preferred by respondent No.2-wife, which came to be rejected by the impugned order passed below Exhibit-17 by learned Judge, Family Court, Aurangabad on 03/01/2015. As such, the present revision.

2. Learned Counsel for the applicant submits that in view of permanent residence of respondent-wife at Pune, the jurisdiction lies with the Family Court, Pune and not at Aurangabad.

3. According to him, the proceedings herein are required to be transferred either to Pune or liable to be dismissed pursuant to the prayer made in the application at Exhibit-17.

4. The said contentions are opposed by learned Counsel for respondent-wife on the ground that respondent-wife was born, brought up and educated in Aurangabad and marriage was took place at Aurangabad. According to her, she was having temporary job at Pune, however, the proceedings are initiated at Aurangabad pursuant to the place of marriage and her residence.

5. The Family Court, Aurangabad based on appreciation of pleadings and other documentary evidence, has rejected the application.

6. If the above referred rival contentions are considered and examined in the light of scope of revisional jurisdiction, in my opinion, learned Family Court, Aurangabad has rightly exercised jurisdiction vested in it. In view thereof, no case is made out. Criminal Revision Application fails, same stands dismissed.

[N.W. SAMBRE, J.]