

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

CRI. WRIT PETITION NO. 3277 OF 2014

Shri Sanjay Vitthal Bhosale & Anr. ... Petitioners.

V/s.

Shri Raju Maruti Shinde & Ors. ... Respondents.

Mr. Balwant V. Salunkhe i/by Vikas M. Mali, Advocate for the
Petitioners.

Mr. V.B. Konde-Deshmukh, APP for the State.

CORAM : M.L.TAHALIYANI,J.

DATE : 16 JANUARY, 2015

P.C. :

1 Heard the learned counsel appearing for the
Petitioners and the learned additional public prosecutor for the
State.

2 Notice is not being issued to respondent nos. 1 to
5 as no order adverse to their interest is being passed in the
present proceedings.

3 The Petitioners are aggrieved by the judgment and
order passed by the learned Sessions Judge on the criminal
misc. application no.588 of 2014 (below Exh. 1). The
Petitioners are facing trial for the offence punishable under

section 138 of the Negotiable Instruments Act in the court of judicial Magistrate, First Class at Miraj. There are seven cases against them being SCC Nos. 914/2013, 915/2013, 916/2013, 917/2013, 918/2013, 919/2013 and 920/2013. The Petitioners have moved the learned Sessions Judge for assigning all the seven cases to one and the same court of Judicial Magistrate so that it is convenient for the parties to attend the court on the dates of hearing. Learned Sessions Judge has rejected the prayer mainly on the ground that the original complainants have got strong objection for assigning the cases to one and the same court.

4 In my view, the order passed by the learned Sessions Judge cannot be sustained. Prayer made by the petitioners was absolutely reasonable and should have been granted. Hence, I pass following order :

5 Summary Cases No. Nos. 914/2013, 915/2013, 916/2013, 917/2013, 918/2013, 919/2013 and 920/2013 pending in various courts of judicial Magistrate at Miraj shall be assigned to one and the same judicial Magistrate, having his court at Miraj.

6 The writ petition stands disposed of accordingly.

(JUDGE)