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

CRIMINAL APPLICATION No. 3 of 2015

Shaikh Farooq Ahmed s/o Mohd Yusuf ..Applicant.

Vs.

Shaikh Mubeena @ Firdous & Ors ..Respondents.

Ms Saima Ansari, Adv., for the Applicant.

Mrs Anamika Malhotra, APP for the State.

Mr P.J.Thorat for Respondent nos. 1 to 4.

CORAM : A.R.JOSHI, J

DATE : 20th August, 2015.

P.C. :

1. Heard rival arguments for some time on this application for transfer preferred by the applicant/husband under section 407 of Cr.P.C.

2. By the present application the applicant has sought transfer of the proceeding filed by the respondent-wife under the Domestic Violence Act and which is pending before the JMFC, Sholapur. He prayed for transfer of said proceeding to Aurangabad before the Family Court on the ground that the said new transferred place would be suitable for both the parties and also the wife had filed application for maintenance under section 125 of Cr.P.C. before the Family Court at Aurangabad.

3. The learned counsel for the respondent-wife conceded to the request made in the present application for transfer and agreed that the application No. 142/2014 pending before JMFC Sholapur may be transferred to the Family Court at Aurangabad. In view of this statement, the following order is passed on the present application.

ORDER.

(a) Criminal Misc.Application No. 142/2014 filed by the present respondents and which is pending before the Court of JMFC Solapur is transferred to the Family Court at Aurangabad which is seized of M.A. No. 319/2014 filed by the respondent no.1 wife under section 125 of Cr.PC; and

(b) The concerned Family Court at Aurangabad shall deal with the transferred M.A. No. 142/2014 in accordance with law from the stage the matter had attained prior to its transfer.

With above directions, application is disposed of accordingly.

(A.R.JOSHI, J.)