

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3819 OF 2016

Sardulsingh Amarsingh Fouji and anr. .. Applicants

Vs.

The State of Maharashtra and ors. .. Respondents

Mr. G.D. Jain, Advocate for the applicants
Mr. S.D. Ghayal, APP for the respondent/State

CORAM : N.W. SAMBRE, J.

DATE : 27/07/2016

ORAL ORDER :

Heard.

2. Perused the communication issued by the applicants to the Registrar, High Court of Bombay, Bench at Aurangabad, seeking transfer of the trial being Sessions Case No. 26 of 2014 punishable under section 302 r/w. 34 of the Indian Penal Code from the Court at Biloli, to any other Court, on the pretext that they may not get justice from the said Court, as the Presiding Officer is of conviction mind. In my opinion, the same cannot be a reason for considering the prayer for transfer moved before this Court, particularly as is

contemplated under section 407 of the Code of Criminal Procedure. No case for grant of prayer is made out. The Application as such is rejected.

3. Since Mr. Gajendra D. Jain, Advocate is appointed to represent the applicants/accused, payment of professional fees to be paid to learned counsel, is quantified to Rs.3,500/- (Rs. Three Thousand Five Hundred), to be paid by High Court Legal Services Sub Committee at Aurangabad.

[N.W. SAMBRE]
JUDGE

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