

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

**CRIMINAL APPLICATION NO. 6802 OF 2015**

Dr. Deepak s/o Maruti Survase and ors.

...Applicants

VERSUS

The State of Maharashtra & anr.

...Respondents

.....

Shri R.K.Temkar, advocate for applicants

Smt. A.V.Gondhalekar, A.P.P. for respondent no.1/State

Shri O.A.Bhadgaonkar, advocate for respondent no.2

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**CORAM : A.V.NIRGUDE**

**AND**

**INDIRA K.JAIN, JJ.**

**DATED : 12th February, 2016**

**ORDER :**

1] Heard.

2] Perused the complaint, dated 10.11.2014. All the allegations made in the complaint are about incident that took place at Ahmednagar and yet Dhule City police station registered offence under Sections 498-A, 323, 504, 506 r/w 34 of the Indian Penal Code. The complaint was not maintainable before Dhule City police station.

3] We are told that pursuant to the complaint charge sheet is filed before the court of Judicial Magistrate, First Class, Dhule. We are, therefore, inclined to utilize our powers under Section 408 of the Criminal Procedure Code.

4] We direct that R.C.C. No. 14 of 2015 pending before the Judicial Magistrate, First Class, Dhule shall stand transferred to the Chief Judicial Magistrate, Ahmednagar, with a direction to assign it to proper court. The applicants are at liberty to make application seeking discharge. Application stands disposed of.

**[INDIRA K.JAIN, J.]**

**[A.V.NIRGUDE, J.]**

dbm/crap6802.15