

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 544 OF 2016**

Shashikala Dilip Shinde	...Applicant
Versus	
The State of Maharashtra & Ors.	...Respondents

Mr. M. L. Patil i/b Mr. V. R. Garad for the Applicant

Mr. P. H. Gaikwad Patil, A.P.P for the Respondent No.1-State

Mr. K. S. Patil a/w Mr. S. D. Chavan for the Respondent Nos. 2 and 4

CORAM : REVATI MOHITE DERE, J.
WEDNESDAY, 21st DECEMBER, 2016

P.C. :

1. Heard learned Counsel for the parties.

2. By this application, the applicant seeks transfer of Sessions Case No. 159 of 2014, which is pending on the file of the learned Ad-hoc Sessions Judge-1, Satara, to the file of the learned Principal District and Sessions Judge, Solapur.

3. The applicant is the original complainant, who has lodged the complaint/FIR as against the respondent-accused for the alleged offences punishable under Section 498(A), 306, 304(B), 34 of the Indian Penal Code. Learned Counsel for the applicant seeks transfer, essentially on the ground that the applicant is a resident of Solapur and so are the witnesses and as such, it is inconvenient for the applicant and the witnesses to come to Satara. Learned Counsel also submits that the applicant being a lady, is unable to attend the hearing on every date and that she apprehends danger from the respondent-accused.

4. Learned Counsel for the respondent-accused prays that the applicant has already appointed a Special P.P. in the matter and has also briefed a watching Advocate. He submits that the allegations made are misconceived and that no ground is made out for transfer of the said case.

5. Perused the papers. Merely because the complainant is from Solapur and so are the witnesses, cannot be a ground for transfer of the case from Satara to Solapur. No compelling reasons are made out for transfer of the said case. It is not the case of the applicant that the accused are trying to

delay the proceedings. Considering the aforesaid, the application being sans merit, is accordingly dismissed.

REVATI MOHITE DERE, J.