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IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CRIMINAL APPELLATE JURISDICTION******CRIMINAL APPLICATION No. 1352 OF 2016******Yogesh Arun Jadhav and Ors.Applicants******Vs.******The State of Maharashtra and Anr.Respondents***

Mr. Satyaram Gaud for the Applicants

Mr. K.V. Saste – APP for the Respondent State.

CORAM : V. M. KANADE &***Ms. NUTAN D. SARDESSAI, JJ.******DATE : NOVEMBER 18, 2016*****P.C. :**

1. The Applicants are challenging an FIR filed by Respondent No.2 -wife for the offences punishable under sections 498A, 323, 504, 506 r/w. 34 of the Indian Penal Code. The contention of the Applicants is that though the cause of action has arisen in Satara, Respondent No.2-wife, who is residing at Mumbai along with her father, had filed a complaint in Mumbai. It is submitted that since no part of cause of action arose in Mumbai as per sections 177 and 178 of Cr.P.C., the investigation may be transferred to Satara.

2. In our view, at this stage, it will not be possible to consider this question. In the event, the charge-sheet is filed, the Applicants are at

liberty to file an application, seeking transfer of the case from Mumbai to Satara. If such an application is filed, it may be heard on merits and in accordance with law. Criminal Application is disposed of in the aforesaid terms.

Ms. NUTAN D. SARDESSAI, J.

V.M. KANADE, J.