

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APL) NO. 105/2015.

1.Vishal Govardhanlal pahwa and another.

-VERSUS-

The State of Maharashtra and another.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

**CORAM : B.P. DHARMADHIKARI
& V.M.DESHPANDE, JJ.**

DATE : JANUARY 22, 2016.

Heard Shri R.J. Mirza, learned Counsel for
the applicants, learned A.P.P. for respondent no.1 and
Shri S.G. Joshi, learned Counsel for respondent no.2.

2. Effort of Shri Mirza, learned counsel is to
demonstrate that Police Station at Yavatmal and Court
of Judicial Magistrate First Class at Wani, does not
possess territorial jurisdiction.

3. Shri Joshi, learned counsel appearing for
respondent no.3 disputes this.

4. We do not wish to go into any disputed
issues at this stage. Parties have attempted to
compromise the matter and it was adjourned on 2/3
occasions by this Court.

5. Applicant no.1 Husband is aged about 35 years, while applicant no.2 is father about 75 years. In this situation, we grant leave to applicant no.1 to appear along with his Advocate in the concerned Court at Wani and to move appropriate application. If such application is moved within 6 weeks from today, the said Court at Wani shall attempt to decide it as per law within a period of next 8 weeks.

6. Till adjudication of that application the matter shall be attended by the applicant no.1 and his Advocate. Personal appearance of applicant no.2 shall not be necessary till then, and thereafter till the trial Court expressly requires him to remain present.

7. If investigation is completed, the respondent no.1 to file charge sheet with intimation to the applicant no.1 within a period of three weeks from today. Time of six weeks given to applicants to move application shall begin to run thereafter.

8. Keeping all rival contentions open and with these directions, we dispose of this Criminal Application. No costs.

Rgd.

JUDGE

JUDGE