

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

Criminal Application [APPLN] No.32 of 2015

(Sau. Kavita @ Muskan w/o Anil Ailani

vs.

Anil Sacchanand Ailani and others)

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

Court's or Judge's Orders

CORAM : S.B. SHUKRE, J.

DATE : 16th AUGUST, 2016.

Heard Shri L.A. Mohta, learned Amicus Curiae
for the applicant and Shri Akash Gupta, learned Counsel for
non-applicant No.1.

Shri Gupta, learned Counsel for non-applicant
No.1 submits that non-applicant No.1 and the applicant/
complainant-Kavita have reached an amicable settlement
and that now they are in the process of taking necessary
steps for getting the complaint case and the criminal case
instituted upon the police report quashed. It appears that
so far no petition in that regard has been moved by the
parties. The learned Counsel also submits that non-
applicant No.1 would have no objection, if both the cases
are clubbed together and directed to be tried by one and
the same Court, though arising out of the same allegations.

The learned Amicus Curiae submits that it would be in the interest of justice that both the cases are clubbed together and directed to be dealt with by single Court. The learned Amicus Curiae and the learned Counsel for non-applicant No.1 submit that Kavita is residing at Akola. In this situation, I am of the view that it would be in the interest of parties that if both the cases are clubbed together and directed to be dealt in accordance with law by the senior criminal court at Akola.

It is, therefore, directed that R.C.C. No.1006/2014 pending on the file of Judicial Magistrate First Class (Court No.3) Akola and the criminal case arising out of the charge-sheet filed by Police Station Chikhli, District Buldhana for the offence punishable under Sections 498-A, 494, 323, 504, 506 read with Section 34 of the Indian Penal Code being R.C.C. No.366/2014 pending on the file of Judicial Magistrate First Class (Court No.2), Chikhli be transferred to the Court of Chief Judicial Magistrate, Akola for being dealt with in accordance with law. The reference is answered in the above terms.

JUDGE

C E R T I F I C A T E

I certify that this order uploaded is a true and correct copy of the original signed order.

Uploaded by: S.D. Waghmare
P.A. to the Hon'ble Judge.

Uploaded on : 18/08/2016