

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

CRIMINAL APPLICATION (APPLN) NO. 6 OF 2017

(Sau. Pallavi W/o Sameer Joshi .vs.. State of Maharashtra, through the Secretary, Home
Department, Mantralaya,Mumbai-32 and another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri S.M.Ghare, Advocate for applicant.
Shri R.S.Nayak, A.P.P.for State-non-applicants.

CORAM : V.M. DESHPANDE, J.
DATED : AUGUST 8, 2017

This is an application under Section 407 of the Code of Criminal Procedure for transferring the various cases filed against the present applicant-co-accused and main accused Sameer Joshi. The main accused Sameer Joshi and present applicant in connivance with each other duped hundreds of depositors in the Vidarbha region and crores of rupees are collected by them by giving a false promise to the said investors that they will be given interest in between 19% to 24%.

2] Various complaints at various places by various depositors are filed.

3] The present applicant is on bail. However, the main accused is repeatedly denied bail by the various Courts. The applicant has filed the present application for transferring the various cases filed at various places in Vidarbha at Nagpur. The reason that has been urged before this Court is that there will be inconvenience to the present applicant and other

accused to attend the cases at different places. Except that no other ground is urged though other grounds are mentioned in the memo of application for transfer.

4] The learned counsel for applicant also tried to rely on various orders passed in such types of cases. Looking to the facts of present case I thought it fit not to mention those orders here.

5] Convenience of the accused alone cannot be the reason for getting the matter transferred from one place to another place. In the present case various complainants-depositors are at various places. They are residing at different places. It will be more inconvenient for the prosecution to procure their presence at Nagpur from different places rather than procure the presence of the accused persons at different places.

6] In my view, in such types of cases, the convenience of the victim is very important and should be paramount while considering the application rather than convenience of the accused persons.

ORDER

The application stands rejected.

JUDGE