

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

CRIMINAL APPLICATION (APL) NO.933 OF 2015

Ashok Dasu Awalwar and ors

..vs..

State of Maharashtra, through District Government Pleader, Nagpur

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

Court's or Judge's Order

Shri H.M. Mohta, Counsel for the applicants.
Shri N.B. Jawade, Addl.P.P. for the State.

CORAM : V.M. DESHPANDE, J.
DATED : JULY 6, 2017.

Heard learned counsel Shri H.M. Mohta for the
applicants.

This is an application challenging order passed by
learned Sessions Judge, Akola dated 3.10.2015 in Other Misc.
Criminal Application No.94 of 2015 by which learned Sessions
Judge rejected application for transfer and to try Sessions Trial
No.72 of 2009 and Sessions Trial No.107 of 2009 by the same
Court. According to learned counsel for the applicants, the
incident in question, which gives rise to Sessions Trial No.72 of
2009 and the incident that gives rise to Sessions Trial No.107 of
2009, is one and the same.

Perused the impugned order. Learned Sessions
Judge, in my view, has correctly reached to the conclusion that

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the incidents, in these two Sessions Trials, are not part and parcel of the single incident but they are separate incidents and learned counsel has placed on record the copies of the entire charge-sheets of these two Sessions Trials. The spot panchanamas, in respect of place of occurrence that gives rise to Sessions Trial No.72 of 2009 and the place of occurrence in Sessions Trial No.107 of 2009, are altogether different and they are distinguished from each other.

No case is made out. The application is rejected.

JUDGE

!! BRW !!

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