

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.214 OF 2018

Paras Mal Tarachand Jain ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

.....

None for the Applicant.

Mr.S.V.Gavand, APP for the Respondent/State.

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CORAM : A.M.BADAR J.

DATED : 24th JULY 2018.

P.C. :

1 This is an application sent by under-trial prisoner namely Paras Mal Tarachand Jain from Arthur Road Prison, Mumbai to this Court.

2 The applicant/under-trial prisoner Parasmal Tarachand Jain, by this application, is praying for transferring the Criminal Case in which he is an accused from the said Court in Maharashtra to any other Court out of Maharashtra. The applicant has alleged that he is being treated as convicted prisoner and despite lapse of seven years, the trial is not completed.

3 The application as framed and submitted before this Court is not maintainable as prayer is for the transfer of trial from the Court of Maharashtra to another Court in India.

4 The learned Additional Public Prosecutor has submitted that the applicant on earlier occasion has moved an application for releasing him on bail and that application was rejected on 18/02/2013. The applicant is an accused in Session Case No.1146 of 2013. The learned Additional Public Prosecutor further submitted that the prosecution had moved an application Exhibit 1329 on 12/04/2018 seeking permission to examine a witness named Anna Hajare, but the same application came to be rejected on 12/04/2018 with an observation that the case is on the verge of completion and the accused Nos.4 to 6 are in jail for more than eight years. The learned Additional Public Prosecutor further submitted that the learned trial Court on 12/04/2018 itself observed that the Session Case needs to be disposed of expeditiously and as early as possible.

5 In this view of the matter, as the prayer is for transfer of case from the Court at Maharashtra to other Court outside Maharashtra, the same is not maintainable.

6 The application is, therefore, rejected.

Raju
Dattatraya
Gaikwad

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Raju Dattatraya
Gaikwad
Date: 2018.07.24
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Gaikwad RD

(A.M.BADAR J.)