

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 611 OF 2015**

Mr. Prakash Anandrao Jadhav & Ors.

....Applicants.

Vs.

The State of Maharashtra & Ors.

....Respondents.

Mr. Harshad Sathe for the Applicants.

Mr. A.R. Kapadnis, APP for the Respondent-State.

Mr. Kalpesh Patil, for the Respondent Nos. 2 to 4.

CORAM : A. S. GADKARI, J.

DATE : 13th MARCH, 2018.

P.C.:-

This is an Application for transfer of R.C.C. No. 205 of 2013 and Criminal M.A. No. 124 of 2015 filed by the Respondent-Wife from the Court of the learned Judicial Magistrate, First Class, Waduj to the Court of Judicial Magistrate, First Class, Pimpri Chichwad, District Pune and for transfer of Criminal Appeal Nos. 18 of 2015, 19 of 2015 and 20 of 2015 from the Court of the learned Sessions Judge, Waduj to the Court of the learned Sessions Judge, at Pune.

2 Heard the learned counsel appearing for the Applicants and the learned counsel appearing for the Respondent Nos. 2 to 4.

3 The record clearly indicates that, the earlier Application preferred by the Applicant for same and/or similar relief was rejected by this Court by an Order dated 1st August, 2013 and the Application of the Respondent-wife was allowed by the same order. It is the said R.C.C. No. 205 of 2013 and M.A. No. 124 of 2015 filed therein, which have been transferred from the Court of Pimpri Chinchwad to the Court of Waduj.

4 The said order dated 1st August, 2013 holds field as of today and in view thereof the prayer of the Applicant for transfer of the said M.A. No. 124 of 2015 from the Court of Waduj again to the Court of Pimpri Chinchwad cannot be entertained.

5 As far as the prayer for transfer of Criminal Appeal Nos. 18 of 2015, 19 of 2015 and 20 of 2015 from the file of the learned Sessions Court, Waduj to the Court of Sessions at Pune is concerned, it is submitted by the learned counsel appearing for the Respondent Nos. 2 to 4 that the said Appeals are being heard finally and the arguments of the Applicants are already concluded. In view thereof, there is no need to transfer the said Appeals to Pune.

6 In view of the fact that the said Appeals are part-heard, the
learned counsel appearing for the Applicants did not press the prayer
clause (c) for transfer of the said Appeals.

7 In view thereof, Application is rejected.

(A.S. GADKARI, J.)