

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

CRIMINAL APPLICATION (APPLN) NO.73/2017

Bandu s/o Budhaji Lohare ..vs.. State of Maharashtra through PSO P.S.
Yavatmal City, Dist. Yavatmal and anr.

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

Court's or Judge's orders.

Mr. L. Meshram, Advocate for applicant.
Mr. N. Rao, A.P.P. for non applicant no.1-State.
Mr. G. Bhusari, Advocate for non applicant no.2.

CORAM : V.M. DESHPANDE, J.

DATED : JANUARY 11, 2018

1. Heard Mr. L. Meshram, Advocate for applicant,
Mr. N. Rao, A.P.P. for non applicant no.1-State and Mr. G.
Bhusari, Advocate for non applicant no.2.

2. By the present application under Section 407 of
the Code of Criminal Procedure, the applicant wants to
transfer the investigation of Crime No.418/2017 and
Criminal Case No.44/2017 filed against him by non
applicant no.2 under the provisions of the Domestic Violence
Act from Yavatmal to Nagpur on the ground that the
applicant has filed a petition for divorce at Nagpur Court.

3. The offence is registered against the present
applicant vide Crime No.418/2017 with Police Station,
Yavatmal city on the report lodged by non applicant no.2
who is wife of the applicant. The offences are punishable
under Sections 498-A, 323, 504 read with Section 34 of the
Indian Penal Code.

4. No plausible grounds are raised for transfer of the Crime No.418/2017 from Yavatmal to Nagpur. Merely because it is the wish of the applicant that investigation of an offence which is registered against him should be transferred from one place to the other, the same is not sufficient.

No case is made out by the applicant. The application is therefore rejected.

JUDGE

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