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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

***CRIMINAL APPLICATION NO.107 OF 2019
(THROUGH JAIL)***

Ganesh Vitthal Raskar	...Applicant
Versus	
The State of Maharashtra	...Respondent

Ms.Supriya Kak as *Amicus Curiae*.

Mr.P.H.Gaikwad, A.P.P for the Respondent - State.

CORAM : REVATI MOHITE DERE, J.

DATE : 5th APRIL, 2019

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks transfer of his case pending before the Saswad Court to any other Court. The transfer is sought, as the learned Judge had rejected his application for re-examination of three witnesses.
3. Learned A.P.P. has produced a Roznama of the said case. The

same is taken on record. He states that till date, ten witnesses have been examined in the said case, out of which three witnesses have been examined by Advocate P.D.Dixit and seven witnesses have been examined by the Applicant himself, as he wanted to conduct the trial himself. He submitted that only the Investigating Officer is left to be examined. He submitted that no ground is made for transfer of the case.

4. Learned *Amicus Curiae* Ms.Supriya Kak states that the application for transfer is sought on the ground that the applicant's application for re-examination of three witnesses was rejected by the trial Court.

5. Perused the papers, including the Roznama of the said case. It appears that till date, ten witnesses have been examined in the said case and only one witness is left to be examined. Merely because the learned Judge has rejected the application of the applicant for re-examination of three witnesses cannot be a ground for transferring the case from the Court where his case is pending to any other Court. There are no allegations of bias or otherwise, against the learned Judge.

6. Considering the aforesaid, no ground is made out for interference.

7. Accordingly, the Application is rejected and disposed of as such.

8. Registry to communicate the above order to the applicant, who is lodged in Yerwada Central Prison, Pune.

9. I would like to record a word of appreciation for the able assistance provided and the efforts taken by Ms. Supriya Kak in conducting the appeal.

REVATI MOHITE DERE, J.