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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 248 OF 2019**

Shri Harshad Narendra Dombé
and Others

.... Applicants.

V/s

Sau Pournima Harshad Dombé
and Anr.

..... Respondents.

Mr. Shriram S. Kulkarni for the Applicants.
Mr. Sharad V. Kulkarni for Respondent No.1.
Mr. S.V. Gavand, APP for the State.

CORAM: NITIN W. SAMBRE, J.

DATE: DECEMBER 10, 2019

P.C.:-

1] Transfer of proceedings being M.A. No.1829/2019 pending on the file of JMFC, Pune is sought on the ground that parties litigating before the Family Court, Pune are seeking divorce in Petition No.1129 of 2018.

2] Prayer is opposed by the learned Counsel for Respondent/wife on the ground that both the courts are located adjacent to each other and proceedings under Domestic Violence Act are stayed by this Court.

3] In my view, stay to the proceedings by this Court under Domestic Violence Act would not operate as an embargo on the power of this Court to order transfer of proceedings under Domestic Violence Act. Bone of contention in both the proceedings i.e. divorce proceedings and proceedings under Domestic Violence Act appears to be the similar. So as to avoid multicplicity of recording of evidence and considering the convenience of the parties, though the Application is opposed by non-applicant, application is allowed in terms of prayer clause (a).

4] Application is accordingly disposed of.

(NITIN W. SAMBRE, J.)