

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

CRIMINAL APPLICATION NO.393 OF 2019

Mr. Pandit Ishwara Chile Applicant

Vs.

1. Mr. Vimal Pandit Chile Respondents
2. State of Maharashtra

Mr. Abhishek R. Avachat for the Applicant.

Mr. R.M. Pethe, APP for the State.

Coram : NITIN W. SAMBRE, J.

Date : 28th November 2019

P.C.:

1. The applicant has filed this application for transfer of his case being Regular Criminal Case No. 444 of 2018, pending on the file of the learned 9th Judicial Magistrate First Class, Kolhapur to any other Court based on the verdict delivered by the learned Magistrate under the provisions of Domestic Violence Act wherein certain observations about bigamy practiced by the applicant are made.

2. Having heard the learned counsel for the applicant, for some time, who has drawn support from paragraph 5 of the judgment

in the matter of **Kanaklata Vs. State (NCT of Delhi) and others**, reported in **(2015) 6 Supreme Court Cases, 617**, it will be appropriate, in my opinion, to dispose of the application with an observation that the learned Magistrate shall decide the proceeding pending before it without being influenced by the observations made herein-before while deciding the proceeding under the Domestic Violence Act.

(**NITIN W. SAMBRE, J.**)