

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.130 OF 2020***

Omkar V. Boddul ... Applicant
Vs
Vijayalakshmi O. Boddul
& Anr. ... Respondent
...

Mr. Amol B. Jagtap for the Applicant.
Mr. Ajit V. Alange for Respondent.
Smt. M.R.Tidke, APP for the Respondent-State.

CORAM : SANDEEP K. SHINDE J.
DATE : NOVEMBER 24, 2021.

P.C. :

It is an application under Section 407 of the Code of Criminal Procedure, 1973. Applicant and his family members including the mother, are respondents in the proceedings instituted by the applicant's wife in the Court of Judicial Magistrate, First Class, Solapur under the Domestic Violence Act, 2005. These proceedings were instituted in the year 2016; whereas this application under

Section 407 of the Cr.P.C. was filed in November, 2020. The learned counsel for the applicant would justify the delay contending that his mother fell ill in September, 2020 and, therefore, it is not possible for his mother to attend the proceedings at Solapur. No other ground is advanced in support of transfer of the proceedings sought in this application. In consideration of the ground on which transfer is sought, it may be stated that applicant's mother may move an appropriate application seeking exemption of her personal presence in the D.V. proceedings in question and if such an application is moved either by applicant's mother or by the applicant on behalf of his mother, the Court shall pass an appropriate order and exempt her presence in the subject D.V. proceedings.

2 For the reasons stated above, application is rejected.

(SANDEEP K. SHINDE, J.)