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

Criminal Application (APPLN) No. 51/2020

Ms Pallavi w/o Amit Gampawar **V/s** Shri Amit Vijayrao Gampawar and others.

Office Notes, Office Memoramda of Coram, appearances, Court's orders of directions and Registrar's Orders.	*Court's or Judge's orders.*

Ms Akansha Wanjari, Advocate for appellant.
Shri I.J.Damle, APP for respondent No.6.

CORAM: N.B.SURYAWANSHI,J.
DATE: 26/02/2021.

The application is filed by the wife seeking transfer of Criminal Case No. 20/2018 pending in the Court of Judicial Magistrate First Class, Pusad, District Yavatmal to any Competent Court at Chandrapur.

The wife has lodged the FIR against the respondent/husband and his relatives on 15.01.2018 alleging the ill-treatment. After conducting the investigation, a charge-sheet for offence punishable under Section 498A of the Indian Penal Code came to be filed and the Criminal Case No. 20/2018 was accordingly registered.

The applicant contends that she along with her daughter Sandiya is staying at Chandrapur and she is working as Manager with the Bank of Maharashtra and posted at Wadgaon Branch, District-Chandrapur w.e.f. 01.08.2018.

Respondent Nos. 1 to 4 are residents of Pusad and the respondent No. 5 is a resident of Dombivli, Thane. The applicant contends that the respondent No.1 and his family are influential and they may influence the witnesses who are from Pusad and for the convenience of the parties and witnesses, the trial be transferred from Pusad to Chandrapur.

The apprehension of the applicant is baseless and the matter cannot be transferred only on the ground of convenience of the parties and mere apprehension of the applicant cannot be a ground to transfer the case.

I find that the applicant has not made out any ground as contemplated under Section 407 of the Code of Criminal Procedure for transfer of the trial at Chandrapur.

In that view of the matter, the application is, therefore **dismissed.**

JUDGE

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