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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.1230 OF 2021

**SUJATA W/O. PRASHANT GAIKWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr. Nishant S. Mansingka, Advocate holding for Mr. Ravindra P. Salve,
Advocate for applicant;
Mrs. V. S. Choudhari, Advocate for Respondent No.1/State

CORAM : S. G. MEHARE, J.

DATE : 2nd August, 2022

PC.

1. Heard the learned counsel for the applicant and learned counsel for the respondent No.1/State.
2. The applicant seeks transfer of R.C.C. No. 202 of 2020 pending before the court of learned Judicial Magistrate, First Class, Kallam, District Osmanabad, in which her husband and in-law are the accused.
3. The learned counsel for the applicant would argue that the distance between Aurangabad and Kallam is around 400 Kms. The applicant has four years child. It is most difficult for her to attend the Court. Therefore, the said proceedings be called to the Court of learned Judicial Magistrate, First Class, Aurangabad.
4. The applicant was the complainant at whose behest the crime has been registered and the case which is sought to be transferred

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was filed before the Court of learned Judicial Magistrate, First Class, Kallam, District Osmanabad.

5. Since the applicant is a witness to the incident, she is not required to attend the Court on each date. On the contrary, the accused have to attend the court till the conclusion of the trial. There are five accused in the said case. They all are residents of Kallam, Taluka Kallam, District Osmanabad. The applicant seeks transfer of the proceedings only for the convenience as it is difficult for her to travel such a long distance. The applicant has to lead the evidence only once. She may take the advantage of the newly developed technology. She may lead her evidence through video conference. It will help her to lead the evidence without fear and trouble. She may request the learned APP to call her for evidence on video conference. The best opportunity to lead evidence through video conference is available to the applicant. It would be most inconvenient for respondents No. 2 to 6/accused to attend the Court at Aurangabad on each date. Therefore, the application stands dismissed.

(S. G. MEHARE, J.)

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