

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

CRIMINAL APPLICATION NO.360 OF 2019

Dr.Yuvrraj Pandurang Patil and Anr. .. Applicants

Versus

Dr.M.M. Sadigale and Anr. .. Respondents

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Mr.Paras D. Yadav i/b. M/s.Nalawade & Chavan Law Associates,
Advocate for the Applicants.

Mr.S.R. Agarkar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK J.

DATED : JULY 06, 2022.

P.C. :

This is an application seeking transfer of criminal Appeal No.43 of 2014, pending before the Court of Sessions Judge at Kolhapur to this Court.

2 The applicants were convicted *vide* judgment and order dated 29th January, 2014 by the Court of learned Judicial Magistrate First Class at Kagal, Kolhapur for the offences punishable under Sections 3, 4 and 5 of Bombay Nursing Home Registration Act 1949, and, Section 3(1), 3(2), 3(3) under Section 18 of the PC PNDT Act. The applicants have challenged the said judgment of conviction by preferring an Appeal before the Court of Sessions, which has been admitted and the sentence has been suspended.

3 The State of Maharashtra has preferred an Appeal before this Court *viz.* Criminal Appeal No.231 of 2016 seeking enhancement of the sentence imposed upon the applicants. The State of Maharashtra has also preferred an Appeal challenging the judgment of acquittal *qua* accused nos.2 and 3, which is pending before this Court and numbered as Criminal Application No.111 of 2014.

4 The proceedings pending before this Court has direct bearing on the Appeal preferred by the applicants before the Sessions Court.

5 In this circumstances, it would be appropriate to hear all the proceedings before this Court.

:: ORDER ::

- (i) Criminal Appeal No.43 of 2014, pending before the Court of Sessions at Kolhapur be transferred to this Court for being heard along-with Criminal Appeal No.231 of 2016 and Criminal Application No.111 of 2014;
- (ii) The matters be placed before the appropriate Court;
- (iii) Criminal Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)