

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.191 OF 2022

Dipti Nagrecha	Applicant
versus	
Jaydeep Jitendra Nagrecha and another	Respondents

Mr.Rajendra Shahsane, Advocate for applicant.
Ms.Manisha Jagtap with Mr.Shubham Gade i/by J.Shekhar & Co.,
Advocate for respondent.
Mr.A.D.Kamkhedkar, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 27th September 2022

PC :

1. The applicant herein has prayed for transfer of the proceedings initiated by her u/s.12 of Protection of Women from Domestic Violence Act, 2012 (`D.V.Act') pending in the Court of Metropolitan Magistrate, 51st Court, at Kurla, Mumbai to Family Court, at Bandra, Mumbai.

2. The respondent no.1 is the husband of applicant. He has initiated divorce proceedings before Family Court, at Bandra under the provisions of Hindu Marriage Act. The said proceedings are pending since 2021, whereas the proceedings under D.V.Act are pending before learned Magistrate since 2018.

3. Learned counsel for applicant-wife submits that issues are common. Hence proceedings be transferred to Family Court at Bandra. Learned counsel for respondent no.1-husband submits that

respondent no.1 has no objection for transferring the matter to Family Court, however, hearing of the proceedings may be expedited.

4. Considering the submissions of both sides, I pass following order :

ORDER

- (i) The proceedings in C.C.No.DV/110/2018 pending before the Court of learned Metropolitan Magistrate, 51st Court, at Kurla, Mumbai are transferred to Family Court, at Bandra, Kumbai and it shall be heard alongj with Petition No.A6031 of 2021;
- (ii) Hearing of the proceedings is expedited and the Family Court, at Bandra, Mumbai is requested to make an endeavour to complete the proceedings within a period of one year from the date of receipt of order;
- (iii) This order may be communicated to both the Courts below.

(PRAKASH D. NAIK, J.)

MST