

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

CRIMINAL APPLICATION NO. 171 OF 2023

Sangeeta Bhagwan Patil

..Applicant

Versus

Bhagwan Maharu Patil

..Respondent

Mr. Mohan C. Kumbhar i/b. Sameer Mhatre for Applicant.

Mr. Rajaram V. Bansode a/w. Arvind Sable for Respondent No.1.

Ms. Sangita D. Shinde, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 5 DECEMBER 2023

PC :

1. The present application is filed by the applicant with a prayer for transferring the Domestic Violence complaint bearing No.111 of 2014 pending before the J.M.F.C., Jalgaon to the court of the J.M.F.C., Belapur, Navi Mumbai. It is her case that, she is a lady residing along with her two sons at Nerul pursuant to the order dated 07.04.2018 passed by the 7th J.M.F.C., Jalgaon. Therefore, it is inconvenient for her to travel from Nerul to Jalgaon to attend the case under the Protection of Women from Domestic Violence Act. The respondent/husband is also residing in the same house, though, there is a partition wall in the said flat. The

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Respondent/husband is a teacher in a school situated at Devnar and, therefore, even for him it would be convenient to attend the court at Navi Mumbai.

2. Learned counsel for the Respondent/husband himself submitted that it is convenient for the husband, as well, if the case is transferred from Jalgaon to Navi Mumbai.

3. Considering this joint request, there can be no impediment in transferring the case from Jalgaon Court to Navi Mumbai. Learned counsel for the Respondent submits that, considering that the case is pending since 2014, though, initially the case was filed in the year 2013, some directions be issued for expediting the trial. This request is also reasonable.

4. Hence, the following order:

ORDER

- i) The application is allowed in terms of prayer clause (b); which reads thus:

“b) To transfer the Domestic Violence complaint vide complaint bearing No.111 of 2014 from the Ld. Judicial Magistrate First Class, Jalgaon to Ld. Judicial Magistrate, First Class, Belapur, Navi-Mumbai.”

- ii) Learned J.M.F.C., Belapur, Navi Mumbai shall consider expediting the trial of the said case as it is pending for almost 10 years.
- iii) With this direction, the application is disposed of.

(SARANG V. KOTWAL, J.)