



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
BENCH AT AURANGABAD.

**909 CRIMINAL APPLICATION NO. 533 OF 2023**

POOJA W/O. DIPAK BHALERAO  
VERSUS  
DEEPAK DIGAMBER BHALERAO

...

Advocate for Applicant : Mr. Madhukar M. Parghane.

Advocate for Respondent : Mr. Ghatol Patil Shahaji B.

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CORAM : **SHIVKUMAR DIGE, J.**

DATE : 9<sup>th</sup> July, 2024.

**P.C.:**

1. Heard the learned counsel for the applicant and learned counsel for respondent.
2. The learned counsel for the applicant submits that the applicant has filed this application for transfer of Criminal M.A. No.41 of 2018 and R.C.C. No.42 of 2019 as well as PWDVA No.11 of 2018 pending before the Judicial Magistrate, First Class, Purna, Dist. Parbhani to Judicial Magistrate, First Class at Pune. The learned counsel further submits that Criminal M.A. No.41 of 2018 has been dismissed in default and the applicant has filed an application for restoration of it, which is pending, hence the applicant is not pressing for transfer of this application till decision of the restoration application.
3. The learned counsel for the respondent submits that R.C.C. No.42 of 2019 is filed under section 498-A of the Indian Penal Code. The matter is at the evidence stage, hence it can not be transferred

and the respondent is consenting for transfer of PWDVA No.11 of 2018 to Judicial Magistrate, First Class, Pune.

4. The learned counsel for the applicant submits that he is not pressing for transfer of R.C.C. No.42 of 2019 and he is pressing for transfer of PWDVA No.11 of 2018.

5. Considering the submissions of both the learned counsel, I pass the following order :-

#### ORDER

- (i) The application is partly allowed.
- (ii) PWDVA No.11 of 2018 pending before the Judicial Magistrate, First Class, Purna, Dist. Parbhani be transferred to Judicial Magistrate, First Class, Pune.
- (iii) The application is disposed of accordingly.

**[ SHIVKUMAR DIGE, J. ]**

*sga*