



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

905 CRIMINAL APPLICATION NO. 3569 OF 2024

TUSHAR SUDAMRAO SELUKAR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicants : Mr. Parghane Madhukar M.
APP for Respondents/State : Ms. R.P. Gaur
...

CORAM : SMT. VIBHA KANKANWADI &
R. W. JOSHI, JJ.

DATE : 04.12.2024.

PER COURT :

1. The present application has been filed for the following reliefs :

“(B) The impugned R.C.C. No. 3391/2018 pending before Ld. J.M.F.C. Pune, filed pursuant to the Crime No. 439/2017 registered with Cidco Police station Aurangabad dated 24.06.2017 punishable under section 498-A, 506, 34 of Indian Penal Code and 3 and 4 of the Dowry Prohibition Act against the present applicants may kindly be quashed set aside.”

2. We are required to consider the history. Respondent

No. 2 herein had filed First Information Report bearing No. 439 of 2017 with CIDCO Police Station, Aurangabad on 24.06.2017 for the offence punishable under Sections 498-A, 506 read with Section 34 of the Indian Penal Code and Section 3 & 4 of the Dowry Prohibition Act.

3. The important point is to be noted is that thereafter this Court in Criminal Application No. 3551 of 2017 has passed order dated 18.09.2017 and had transferred the First Information Report for investigation to Lohgaon Police Station, Pune. It appears, thereafter the investigation has been completed and the charge-sheet has been filed before the learned Judicial Magistrate, First Class, Pune bearing RCC No. 3391 of 2018. In view of the fact that the F.I.R. was transferred and now the case is pending before the learned Judicial Magistrate, First Class, Pune and it is beyond the territorial jurisdiction of this Court. Therefore, we transfer this application to the Principal Court/Seat of this Court at Mumbai.

4. The Registrar, (Judicial) of this Court to make necessary arrangements.

5. Remove from the board.

(R.W. JOSHI)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE

mahajansb/