



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

CRIMINAL APPLICATION (APPLN) NO.65 OF 2023

Sau Sonali Navneet Sangodkar .Vs. Navneet Krushna Sangodkar

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Ms Swati Kulkarni (Potey), Advocate for the applicant

CORAM : G.A. SANAP J.

DATE : JUNE 10, 2024

Heard.

2. This is an application for the transfer of two criminal proceedings, namely Miscellaneous Criminal Application No. 18 of 2017 and Miscellaneous Criminal Application No. 9 of 2018, pending on the file of the learned 12th Joint Civil Judge Senior Division and Judicial Magistrate First Class, Amravati to the Court of the learned Magistrate at Gadchiroli.

3. It is stated that when both of these proceedings were filed, the applicant was residing with her parents at Amravati. The applicant states that after filing both proceedings, she has now shifted to Gadchiroli for the purpose of taking education. It is stated that the non-applicants are residents of Gadchiroli. It is stated that husband at present has been posted at Chandrapur Forest

Office as a 'Forest Officer'. It is stated that for the convenience of the applicant as well as for the convenience of the non-applicants these proceedings may be transferred to the learned Judicial Magistrate First Class, Gadchiroli.

4. The copy of the main application mentions the address of the non-applicant. The non-applicants are residents of Gadchiroli District. Amravati is far away from Gadchiroli. In my view, therefore, the transfer of both proceedings to the Court of Judicial Magistrate First Class at Gadchiroli would ensure the convenience of the non-applicant. If the matter is not transferred from Amravati to Gadchiroli, the non-applicants would be required to attend the Court of Magistrate at Amravati all the way from Gadchiroli. The applicant has stated in her application that she has now shifted her residence to Gadchiroli for the purpose of education. In my view, this ground stated in the application cannot be disbelieved and discarded.

5. In this application, the husband, who is the sole non-applicant, has been duly served. He failed to appear before this Court. It is seen that the remaining non-applicants have not been made parties to this

application. However, considering the fact that the main grievance has been made against the husband and additionally, the remaining non-applicants are residents at Gadchiroli, they will not be put to any hardship because of the transfer of the matter. Accordingly, I proceed to pass following order-

- (i) The criminal application is allowed.
- (ii) Miscellaneous Criminal Application No. 18 of 2017 and Miscellaneous Criminal Application No. 9 of 2018 be transferred from the Court of Magistrate at Amravati to the Court of Magistrate at Gadchiroli.
- (iii) The learned Sessions Judge, Amravati shall withdraw both these proceedings from the Court of 12th Joint Civil Judge Senior Division and JMFC, Amravati and transfer the same to the learned Sessions Judge, Gadchiroli. Learned Sessions Judge, Gadchiroli on receipt of the proceedings, shall assign the proceedings to the learned Judicial Magistrate First Class at Gadchiroli.

6. The application stands **disposed of**, accordingly.

(G. A. SANAP, J)