



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.889 OF 2025

1. Ravi Banshi Chavan
2. Anjana (Alias) Barki Ravi Chavan
3. Banshi Mana Chavan
4. Tulsabai Banshi Chavan
5. Gaju (Alias) Ajay Banshi Chavan
6. Sunil Banshi Chavan
7. Vandana Ajay Chavan
8. Ram Bhasu Rathod
9. Gayabai Ram Rathod
10. Prakash Dnyanba Aadhe
11. Meerabai Prakash Aadhe

...Applicants

VERSUS

1. The State of Maharashtra.
2. Mrs.Anjali w/o Ravi Chavhan.

...Respondents

**WITH
CRIMINAL APPLICATION NO.909 OF 2025**

1. Ravi Banshi Chavan
2. Banshi Mana Chavan
3. Tulsabai Banshi Chavan
4. Gaju (Alias) Ajay Banshi Chavan
5. Sunil Banshi Chavan
6. Vandana Ajay Chavan
7. Ram Bhasu Rathod
8. Gayabai Ram Rathod

...Applicants

VERSUS

1. The State of Maharashtra.

2. Mrs.Anjali w/o Ravi Chavhan.

...Respondents

...

Shri Pralhad C. Bhagure, advocate for the applicants.

Shri D.B. Bhange, APP for respondent No.1/State.

Ms. Aishwarya Tekale, advocate for respondent No.2 (appointed)

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CORAM : SUSHIL M. GHODESWAR, J.

DATE : 22 September 2025

ORDER :-

1. Both these applications are filed under Section 447 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

2. By Criminal Application No.889/2025, the applicants are praying for transfer of proceedings bearing R.C.C. No.54/2016 pending on the learned JMFC, Ambad, District Jalna, to the learned JMFC, Shegaon, District Buldhana.

By Criminal Application No.909/2025, they pray for transferring R.C.C. No.198/2014 filed before the learned JMFC, Ambad, District Jalna, pursuance to FIR bearing Crime No.110/2024 registered with Ambad Police Station, District

Jalna, to the Court of learned JMFC, Lonar, District Buldhana.

3. According to the applicants, the proceedings bearing R.C.C. No.54/2016 are instituted by respondent No.2/ complainant before the learned JMFC, Ambad, District Jalna, on 29.02.2016 for offences punishable under Section 494 of the Indian Penal Code against applicant No.1 and under Section 109 of the Indian Penal Code against applicant Nos.2 to 11. It is alleged that the complainant is wife of applicant No.1 (Ravi Bansi Chavan). However, during subsistence of their marriage, applicant No.1 is alleged to have remarried with applicant No.2 at Gajanan Maharaj Temple, Shegaon, District Buldhana on 22.02.2016. Applicant Nos.3 to 11 had participated in said marriage and thereby, abetted applicant No.1 to perform marriage with applicant No.2.

4. Respondent No.2 also filed FIR bearing Crime No.110/2014 on 24.06.2014 with Ambad Police Station, District Jalna, against the applicants for offences punishable under Sections 498-A, 323, 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act, 1961. The Investigating Officer conducted investigation into said FIR and filed the

charge-sheet before the learned JMFC, Ambad, District Jalna and the case has been registered as RCC No.198/2014.

5. According to learned advocate for the applicants, the alleged incident of performing second marriage took place at Shegaon, District Buldhana, whereas RCC No.54/2016 is filed before learned JMFC, Ambad, District Jalna. Therefore, as the alleged incident did not happen within territorial jurisdiction of Ambad Police Station, therefore, the proceedings initiated before the learned JMFC, Ambad, need to be transferred to the Court of learned JMFC, Shegaon, District Buldhana.

6. In respect of the proceedings arising from Crime No.110/2014 registered at Ambad Police Station, learned advocate for the applicants submitted that the alleged incident in FIR had happened at Gaykhed, Taluka Lonar, District Buldhana, however, the FIR is lodged at Ambad Police Station, District Jalna. As such, since the incident did not occur within jurisdiction of Ambad Police Station, therefore, Ambad Police Station had no jurisdiction to investigate the matter and therefore, they ought to have transferred the complaint to Lonar Police Station. Since Ambad Police Station has no jurisdiction to

investigate the matter, the learned JMFC, Ambad has also no territorial jurisdiction to entertain the proceedings arising out of FIR No.110/2014.

7. Respondent No.2 was served and she was present in the Court on 22.07.2025. On that day, she expressed her inability to engage a lawyer. Therefore, learned advocate Ms.Aishwarya Tekale was appointed to represent respondent No.2.

8. Learned advocate for respondent No.2, on instructions, has not opposed the prayers.

9. In view of above submissions of learned advocate for the applicants and since respondent No.2 has consented for transfer, it is necessary, in the interest of justice, to transfer above proceedings to respective courts. Hence, the following order:-

ORDER

(a) Both Criminal Applications are allowed in terms of respective prayer clause (b), which read thus:-

Criminal Application No.889/2025

“(b) That this Hon'ble court be pleased to transfer the RCC No. 54/2016, offence U/s 494 of the

IPC against application No. 1 and U/s 109 of the IPC against 2 to 11 with JMFC Ambad, Dated 29/02/2016. Tq. Ambad, Dist: Jalna to JMFC Shegaon, Dist. Buldhana.”

Criminal Application No.909/2025

“(b) That this Hon'ble court be pleased to transfer the FIR Cr. No. 110/2014 offence U/s 498(A), 323, 34 and IPC 3 and 4 of Dowry Prohibition Act, 1961 Registered with Police Station Ambad, Dated 24/06/2014. Tq. Ambad, Dist: Jalna and Chargesheet filed before Judicial Magistrate Ambad Vide RCC No. 198/14 to JMFC Lonar, Tq Lonar, Dist Buldhana.”

(b) Since learned advocate for respondent No.2 is appointed by this Court, her fees shall be calculated and paid to her as per rules by the High Court Legal Aid Services Sub-Committee, Aurangabad.