



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

25 CRIMINAL APPLICATION NO. 1225 OF 2025

PRIYANKA RAMESHWAR KEDAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Mr. A.A. Munde, Advocate for the applicant.
Ms. A.S. Deshmukh, APP for the respondent-State.
Mr. A.A. Phad, Advocate for respondent No.2.

CORAM : KISHORE C. SANT, J.
DATE : 22.08.2025

PC :-

01. Heard learned Advocates for the parties. This application is taken up for final disposal by consent of the parties.

02. In the present application, a prayer is made for transfer of RCC No.68 of 2023, pending in the Court of learned JMFC at Wadgaon Maval, Dist. Pune to the Court of learned JMFC, Aurangabad. The proceeding is initiated on the basis of an information lodged by the husband in the Police Station, Talegaon Dabhade for the offence punishable under sections 341, 324, 504, 506 r/w 34 of the Indian Penal Code.

03. The learned Advocate for the applicant vehemently argued that there are 7 proceedings at the instance of wife, going on in the Court at Aurangabad. It is, therefore, in the interest of justice to transfer the present case as well to the Court at Aurangabad. He has given chart of the cases pending at Aurangabad. He thus prays for allowing the application.

04. Learned APP for the respondent-State opposes the prayer. He submits that it is the prosecution, who is conducting the trial.

05. Learned Advocate Mr. Phad for the respondent-husband vehemently opposes the application. He submits that the case is initiated on the basis of an FIR lodged by the husband. It is the prosecution who has to conduct the Trial. The wife has only to attend the proceeding as a witness. If the case is transferred, all the witnesses who are cited as prosecution witnesses will have to travel to Aurangabad. In the present case, not only convenience of wife, but convenience of all the machinery and witnesses is required to be considered.

06. This Court finds that the dispute is not matrimonial dispute but purely a criminal case started on the basis of an FIR. All the

witnesses are from Talegaon Dabhade. If the case is transferred, all the witnesses will have to come to Aurangabad. This Court does not find that any purpose would be served by transferring the proceeding at Aurangabad. The petitioner is the only witness in the said case and therefore even if she has to go, it will be for the purpose of evidence and not for any other purpose. This Court, therefore, finds that no case is made out to transfer the proceeding.

07. This Criminal Application, therefore, stands dismissed.

[KISHORE C. SANT, J.]