



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.496 OF 2024

Ujwala Sanjay Dhurve ... Applicant
versus
Sandeep Krishna Dhurve and Anr. ... Respondents

Mr. Anirudh A. Takalkar (through VC) for Applicant.
Mr. R.V.Gupta with Mr. Rohit Vaishya for Respondent.
Mr. A.S.Shalgaonkar, APP for State.
API P.G.Ghagare, Khandeshwar Police Station, present.

CORAM: N.J.JAMADAR, J.

DATE : 20 JUNE 2025

P.C.

1. Heard the learned Counsel for the parties.
2. This is an application for transfer of Sessions Case No.44 of 2021 from the Court of Special Judge at Panvel to the Court of Special Judge at Kalyan.
3. The Applicant is the first informant in FIR No.38 of 2021, registered at Khandeshwar Police Station, which culminated in filing of the chargesheet for the offences punishable under Section 354-A of the Indian Penal Code, 1860 and Sections 6, 8 and 10 of the Protection of Children from Sexual Offences Act, 2012.
4. In the application it is averred that, on account of poor financial position, the applicant is not in a position to attend the proceedings before the Special Court at Panvel.

5. Learned Counsel for the Applicant submitted that on account of the threat perception as well, it would not be possible for the Applicant to attend the proceedings before the Special Court at Panvel. However, upon perusal of the application, the Court finds that no such ground of any threat to the safety of the Applicant is taken in the application. Moreover, the applicant being the witness in the Special case would not be required to attend the proceedings for more than a couple of occasions to record her evidence.

6. Nonetheless, in view of the submission on behalf of the Applicant, this Court has called upon the learned APP to take instructions as to whether the State would provide necessary security for the Applicant when she appears before the Special Court at Panvel to depose before the Court.

7. Learned APP, on instructions of the Officer, who is present in Court, informed the Court that the jurisdictional police will accompany the applicant from the place of residence to the Court house at Panvel, whenever the applicants appears to depose as a witness.

8. In view of the aforesaid statement and having regard to the distance between Panvel and Kalyan, where the Applicant resides, this Court does not find any justifiable reason to transfer Special Case No.44 of 2021 from the Special Court at Panvel to the Special Court at Kalyan.

9. Hence, the Application stands disposed with the following directions :

- (i) The jurisdictional police shall accompany the Applicant from the

place of her residence to the Special Court at Panvel whenever the Applicant is required to visit the Special Court at Panvel to depose as a witness.

(N.J.JAMADAR, J.)