



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APL) NO.423 OF 2025

Manish Gajanan Sultane

Vs.

State of Maharashtra, through Police Station Officer, Police Station Dhanaj
Mangrulpir, District Washim and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. M. N. Ali, Counsel for the applicant.

Ms. M. A. Barabde, APP for non-applicant No.1/State.

Ms. R. M. Mishra, appointed Counsel for non-applicant No.2.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 27/06/2025

1. By this application, the applicant is seeking directions to the Judicial Magistrate First Class that RCC No.268/2020 pending before the learned Judicial Magistrate First Class, Karanja be committed to the learned Additional Sessions Judge Mangrulpir for joint trial along with the Sessions Trial No.23/2020.

2. Heard learned Counsel for the applicant who submitted that as per the prosecution case, there was altercations between the accused and one Anandrao Ghate, who accused him of trespassing on farm land and damaging trees. On the basis of the same, Crime No.229/2020 was registered for the offence punishable under Sections 324, 323, 504, 506 read with Section 34 of the Indian Penal Code and the case is numbered as RCC No.268/2020. The another FIR is also registered vide Crime

No.228/2020 for the offence punishable under Sections 302, 307, 326, 504, 506 read with Section 34 of the Indian Penal Code. The charge-sheet was filed and the case is committed to the Sessions Court and the Sessions Trial is pending before the Sessions Court at Mangrulpir bearing Sessions Trial No.23/2020. It is the contention of the applicant that both the FIRs are arising out of the same incident and being those are the cross-complaints are to be tried together and to be disposed of together to avoid the conflicting of findings.

3. It is well settled that the cross-complaints are to be heard by the same Judge together and disposed of together. It seems from the record that the applicant has filed the transfer application and the same was rejected, instead of transfer application the applicant shall file an application requesting the Sessions Judge to call for the record of the RCC No.268/2020 and the learned Sessions Judge shall consider this application and shall pass an appropriate order. Considering the fact that, both cases arising out of the same incident and being a cross-complaint same to be decided simultaneously one by one by the same Judge.

4. With this directions, the application is disposed of.

(URMILA JOSHI-PHALKE, J.)