



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

CRIMINAL APPLICATION NO.58 OF 2025

(Sharad Chandrashekhar Bendre and another Vs. State of Maharashtra thr. Station House Officer, Lohara Police Station, Yavatmal, Tah. & Dist. Yavatmal)

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

Court's or Judge's orders.

Mr. V. D. Darne, Advocate for Applicants.
Ms. Prachi Joshi, APP for Non-Applicant/State.

CORAM: ROHIT W. JOSHI, J.

DATE: 21st MAY, 2025.

1. Heard.
2. The present application is filed under Section 447 of the Bhartiya Nagrik Suraksha Sanhita, 2023 seeking transfer of Sessions Case No.71/2020 from the file of learned Ad-hoc Sessions Judge-1 to another court of competent jurisdiction.
3. The present applicants have filed application for assisting the prosecution. The present applicant no.1 is the informant and applicant no.2 is brother of the deceased. They have filed application for assisting the prosecution in the aforesaid sessions case.
4. Initially the present applicant had filed application under Section 448 of the Bhartiya Nagrik Suraksha Sanhita, 2023 before the learned Sessions Judge, Yavatmal vide Other Misc. Criminal Application No.39/2025. The said application is rejected vide order dated 16.05.2025. The application was filed on 09.05.2025. The main contention in the application was that some posts

had appeared in social media platform indicating that the learned Judge was to grant bail to the accused persons in the said offence. Perusal of the application demonstrates that the allegation with respect to the alleged posts on whatsapp and facebook are absolutely vague and lacking in material particulars. The learned Sessions Judge has rejected the application by recording the cogent reasons on arriving satisfaction that no case is made out for transferring the matter from the file of learned Judge. The learned counsel for the applicant is not in a position to demonstrate any error on the part of the learned Sessions Judge while rejecting the transfer application. The controversy in regard to the *roznama* of the case being uploaded not on the same date, but on the subsequent date. The learned Sessions Judge has observed that the responsibility of uploaded order and the *roznama* is not of the Presiding Officer but it is of the clerical staff. The learned counsel for the applicants is referring to *roznama* of some other cases and not to the *roznama* pertaining to matter which is sought to be transferred. Having regard to the contents of the application as also the reasons recorded by the learned Sessions Judge in rejecting transfer application, I am convinced that the applicants have failed to make out any case to seek transfer of the matter from the file of the learned Sessions Judge.

5. The application is therefore, rejected.

(ROHIT W. JOSHI, J.)