



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

CRIMINAL APPLICATION NO.105 OF 2024

(Ranjit s/o Sheshrao Patil (Suklikar) Vs. Kavita Ranji Patil (Suklikar))

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms M. Agrawal, Advocate h/f Mr. N.R. Tekade, Advocate for the applicant.
Ms B.C. Dhruv, Advocate (appointed) for the non-applicant.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- FEBRUARY 25, 2025

Heard.

2. By this application, the applicant is seeking transfer of matrimonial proceeding i.e. Miscellaneous Criminal Application No.456/2023 pending before the Judicial Magistrate First Class, Morshi to the Family Court, Akola.

3. This application is filed by the husband on the ground that his marriage with the non-applicant was solemnized on 10/12/2010. After marriage, the non-applicant resumed cohabitation and two children are begotten from the said marriage; however, there was a rift in the relationship and the non-applicant has left the company of the applicant. Thereafter non-applicant has filed the application seeking maintenance under Section 125 of the Cr.P.C. on the ground that she was harassed by the present applicant. Said miscellaneous criminal application is filed for grant of maintenance.

4. The non-applicant has also filed the application below Exhibit-36 in Miscellaneous Criminal Application No.378/2022 whereby the application seeking visitation rights were granted to the non-applicant to meet her children within the vicinity of the trial Court.

5. The non-applicant has also filed a complaint before the police station Khadan, Akola for the offence punishable under Sections 498-A, 323, 504 and 506 read with Section 34 of the Indian Penal Code and the case is pending before the Judicial Magistrate First Class, Akola bearing RCC No.889/2022.

6. As per the contention of the present applicant, the applicant is residing at Akola. He is unable to attend the proceeding at Morshi as he has to take care of his old mother and also both the children.

7. The non-applicant has no objection to transfer the proceeding bearing No.456/2023 pending before the Judicial Magistrate First Class, Morshi to the Family Court, Akola

8. Considering the convenience of both the parties, the application deserves to be allowed. Accordingly, I proceed to pass the following order:

(i) The application is allowed.

(ii) The Miscellaneous Criminal Application No.456/2023 pending before the court of Judicial Magistrate First Class, Morshi is hereby withdrawn and transfer to the Family Court, Akola.

(iii) The parties to appear before the Family Court, Akola on 12/03/2025.

9. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*