N. S. Kamble

IN THE JUDICATURE OF HIGH COURT AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 4488 OF 2026

Sachin Tukaram Patil ...Petitioner
Versus
The State of Maharashtra ...Respondent

NILAM SANTOSH KAMBLE
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Date: 2026.10.12 10:48:10 +0530

Ms.Sneha G. Sanap, for the Petitioner.
Ms.R.D. Humane, APP for Respondent-State.
Mr.Tale, PSI, Nigadi Police Station, Pimpri Chinchwad.

CORAM : SHIVKUMAR DIGE, J.
DATE : 9th OCTOBER, 2026.

P.C. :

. The challenge in this Petition is to the order dated 17th August 2026 passed by the learned Sessions Judge, Pune, whereby transfer Application of the Applicant for seeking transfer of RCC No.2411 of 2025 from Judicial Magistrate First Class, 42nd Court, Pimpri ('JMFC' for short) to any other Judicial Magistrate at Pimpri.

2. The learned counsel for the Applicant submits that the learned Magistrate on the date of the filing charge-sheet itself without prior notice to the Petitioner, issued non-bailable warrant against the Applicant. The matter was persuaded by the Petitioner through his Advocate. Thereafter, the Petitioner's Advocate made an Application for cancellation of the non-bailable warrant.

3. The learned Magistrate framed the charge and the Applicant was

pressurized to sign the plea which was also not signed by the learned Magistrate till 31st May 2026.

4. The learned counsel further submitted that the charge framed against the Petitioner is quashed and set aside by the learned Sessions Court. The learned Judge has prejudice against the Petitioner and he may not get justice in the said court and requested to allow the Application.

5. It is contention of learned APP that the roznamma shows that the learned Magistrate has followed proper procedure and passed proper order. The learned Sessions Judge has passed well reasoned order no interference is required in it and requested to reject the Application.

6. I have heard both learned counsel. Perused impugned order.

7. As the Applicant has apprehension that learned Judge has prejudice against him and the Applicant is arraigned as Accused in criminal case, fair opportunity be given to him to put his side before the Court. Hence, I pass following order.

ORDER

(i) The Petition is allowed.

(ii) The RCC No.2411 of 2025 pending before the JMFC, 42nd Court, Pimpri be transferred to other judicial Magistrate at Pimpri.

(iii) All pending Applications are disposed of.

(SHIVKUMAR DIGE, J.)