

**IN THE COURT OF SESSIONS JUDGE, BULDANA.**

(Presided over by Mr. R. N. Rokade)

**Criminal Misc. Application No.15/2026.**

(CNR : MHBU010003262026)



**Sachin Shankarlal Jaiswal,**

Aged 46 years, Occu. : Service,

The then Tahsildar, Sindkhed Raja,

Tq. Sindkhed Raja, Dist. Buldana.

**... Applicant.**

**- Versus -**

**Police Inspector,**

Anti-Corruption Bureau, Buldana,

Tq. and Dist. Buldana,

Through D.G.P. and P.P. Buldana.

**... Non-applicant.**

**Appearance :**

Shri Javed Shaikh, Advocate for applicant,

Shri D.W. Gote, Additional Public Prosecutor for State/non-applicant.

...

**Order below Exh.1.**

(Dt. 16-03-2026)

1. The applicant has filed the present application seeking transfer of Misc. Criminal Application No.12/2024 from the Court of the Adhoc District Judge-1 and Additional Sessions Judge, Mehkar to the Court of the District Judge-1 and Additional Sessions Judge, Mehkar, for adjudication along with the main case.

2. The material averments of the application are as follows:

The applicant is arrayed as an accused in Crime No.75/2024

registered at Sindkhed Raja Police Station for the offences punishable under Sections 7, 7A and 12 of the Prevention of Corruption Act, 1988. After the completion of the investigation, the non-applicant/State has filed a charge-sheet registered as Special (A.C.B.) Case No.42/2024, before the Court of the District Judge-1 and Additional Sessions Judge, Mehkar. It is submitted that during the course of the investigation, the non-applicant seized a certain amount from the applicant and filed Miscellaneous Criminal Application No.12/2024, before the Court of the Adhoc District Judge-1 and Additional Sessions Judge, Mehkar, for the purpose of investing the seized amount in a fixed deposit. Conversely, the applicant has moved an application for the release of the seized amount on *Supurtnama*. The arguments of both the sides have been concluded, and the said Miscellaneous Criminal Application No.12/2024 is presently pending for orders. In the meantime, the charge-sheet came to be filed in Special (A.C.B.) Case No.42/2024, before the Court of the District Judge-1 and Additional Sessions Judge, Mehkar. It is further submitted that the Adhoc District Judge-1 and Additional Sessions Judge, Mehkar lacks jurisdiction to decide the miscellaneous case arising out of the same crime. Therefore, both matters ought to be heard and decided by a single Court, for effective adjudication and to avoid conflicting findings. Hence, it is prayed that the Miscellaneous Criminal Application No.12/2024 be withdrawn from the Court of the Adhoc District Judge-1 and A.S.J. Mehkar, and transferred to the Special Court i.e. the Court of the District Judge-1 and Additional Sessions Judge, Mehkar for disposal in accordance with law.

3. The learned Advocate for the non-applicant/State filed say on the application, and left the matter to the discretion of the Court.
4. Heard the learned Advocate for applicant and the Additional

Public Prosecutor for State/non-applicant. Perused the record and documents placed on record.

5. Upon perusal of the documents on record, it is manifest that both the matters have arisen out of Crime No.75/2024 registered at Sindkhed Raja Police Station. The main case, Special (ACB) Case No.42/2024 is pending before the Court of District Judge-1 and Additional Sessions Judge, Mehkar. Offences under the Prevention of Corruption Act, are exclusively triable by a Special Judge. Since the main trial is already pending before the District Judge-1 and A.S.J. Mehkar, that Court is the only competent forum to decide the incidental applications regarding the disposal or investment of the seized property.

6. Allowing two different Courts to adjudicate matters arising from the same set of facts may lead to contradictory findings. To ensure the interest of justice and consistency in judicial orders, it is imperative that the Miscellaneous Application be transferred to the Court where the main trial is pending.

7. In view of the above, and no objection given by the non-applicant, it is just and necessary to withdraw the miscellaneous proceeding from the Court of Adhoc District Judge-1 and Additional Sessions Judge, Mehkar and transfer it to the Special Court. Hence, the following order

**Order**

1. Criminal Miscellaneous Application No.15/2026 is allowed.
2. Misc. Criminal Application No.12/2024 is hereby withdrawn from the Court of the Adhoc District Judge-1 and Additional Sessions Judge, Mehkar and transferred to the Court of the District Judge-1 and Additional Sessions Judge, Mehkar, where Special (ACB)

Case No.42/2024 is pending, for disposal in accordance with law.

**3.** Issue administrative order accordingly.

Dated : 16-03-2026.

**( R. N. Rokade )**  
Sessions Judge, Buldana.

**Certificate**

“I affirm that, the contents of this PDF file order are same word for word as per original order.”

Name of Steno	Shri. D. S. Ingle, Stenographer (Grade-III)
Name of Court	Sessions Judge, Buldana
Date of order	16-03-2026
Dictated on	16-03-2026
Transcribed on	16-03-2026
Checked and signed on	16-03-2026
Uploaded on	18-03-2026

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