



ORDER BELOW EXH. 1 IN
CRIMINAL MISC. APPLICATION NO. 69/2025
(CNR No. MHDH01-002076-2025)
(Krushna Madhukar Patil Vs Madhukar Namdeo Patil etc.)

1] This is an application filed by the applicant under Section 448 of Bharatiya Nagarik Suraksha Sanhita, 2023 for clubbing of R.C.C. No. 1151/2022 and R.C.C. No. 36/2023 in one Court by way of transfer.

2] It is contended that, applicant has lodged complaint against non-applicant Nos. 1 to 3 in Songir Police Station. Accordingly crime No. 328/2022 was registered against them. After completion of investigation, the Investigation Officer has filed chargesheet in the Court. It was registered as R.C.C. No. 1151/2022 and is pending in the Court of Ld. 8th Jt. Civil Judge, S.D. and Additional Chief Judicial Magistrate, Dhule. Non applicant No. 1 had also lodged complaint against applicant in Songir Police Station and accordingly crime No. 324/2022 was registered. Its chargesheet also filed in the Court. It was registered as R.C.C. No. 36/2023. It is pending in the Court of 10th Jt. Civil Judge, S.D. and Additional Chief Judicial Magistrate, Dhule. Both these cases are required to transfer in one Court for the convenience of parties.

3] Notice served to non-applicant Nos. 1 to 4. Non-applicant Nos. 1 to 3 appeared but failed to file their say. Non-applicant No.4 the State appeared through Ld. APP. He submitted that suitable order may be passed.

4] Heard Ld. Advocate Shri. D. N. Mahajan for applicant. He reiterated the contents of application during his argument and prayed to transfer one of the above case.

5] Perused the record and proceeding. Admittedly both these cases are pending in different Courts. On perusal of FIRs and chargesheet of both theses cases, it appears that, the incident mentioned in both cases occurred on 23.10.2022 at about 11.00 am at village Kapadne. Both these cases are

outcome of the same incident. It is mentioned in the application that R.C.C. No. 36/2023 is pending in the Court of 10th Jt. Civil Judge, S.D. and Additional Chief Judicial Magistrate, Dhule. From the CIS of District Court, Dhule, it appears that, said case is now pending in the Court of 9th Jt. Civil Judge, S.D. and Additional Chief Judicial Magistrate, Dhule. As stated above, both cases are outcome of the same incident, therefore, it is desirable to hear and decide both the cases by one and the same Judge. Therefore, it is necessary to withdraw the R.C.C. No. 36/2023 from the file of Ld. 9th Jt. Civil Judge S.D. and Additional Chief Judicial Magistrate, Dhule and to transfer it to the Court of Ld. 8th Jt. Civil Judge, S.D. and Additional Chief Judicial Magistrate, Dhule where R.C.C. No.1151/2022 is pending. Hence, following order.

ORDER

1. Application is allowed.
2. R.C.C. No. 36/2023 is withdrawn from the file of Court of Ld. 9th Jt. Civil Judge S.D. and Additional Chief Judicial Magistrate, Dhule and transferred to the file of Court of Ld. 8th Jt. Civil Judge, S.D. and Additional Chief Judicial Magistrate, Dhule (where R.C.C. No. 1151/2022 is pending) for trial and disposal according to law.
3. Inform the concerned Courts accordingly.

Place : Dhule
Date : 23.07.2026

(S. S. Bhishma)
Principal District and
Sessions Judge,
Dhule.

Certificate

I certify that the contents of this PDF file are word to word as per Original order

Name of the Steno : Prashant P Kulkarni
Name of the Court : Court of the Principal District and Sessions Judge, Dhule
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