

CRIMINAL MISC. APPLICATION NO.209/2025
(CNR- MHPU01-007009-2025)

Santosh Sevu Pawar

...Applicant.

Vs.

The State of Maharashtra
& Ors. 03

...Opponents.

ORDER BELOW EXH.01.

This is an application for transfer of S.C.C. No.31381/2023 from the Court of J.M.F.C. to the Sessions Court.

2] Perused the application and say of Ld. A.P.P (Exh.10).

3] The matter was proceeded without say against opponent No.2. The opponent No.3 is tried to be served but he was not served.

4] It is seen from the application that FIR being Crime No.58/2023 was registered at Sinhgad police station under Sections 307, 504, 506 of IPC r/w Section 3(25) of the Arms Act and Section 37(1) r/w 135 of Maharashtra Police Act. The charge-sheet was filed bearing R.C.C.No.2354/2023. It was committed to the Sessions Court. Now Sessions Case No.181/2024 is pending before the Additional Sessions Judge,

Pune (Shri. S. R. Salunkhe). It is further seen in the application that from the same incident Crime No.59/2023 was registered under Sections 385, 323, 504, 506 r/w. 34 of IPC. The charge-sheet was filed and it was numbered as S.C.C. No.31381/2023 which is pending before the J.M.F.C., Anti-Corruption Court, Pune now before the Smt. U. S. Alamodi.

5] As pleaded in paragraph No.3 of the application, that both the matters are expedited as per the Order dated 15/04/2024 passed by the Hon'ble Bombay High Court in Criminal Writ Petition No.1059 of 2024 & Criminal Writ Petition No.1064 of 2024.

6] Both the crimes are out of the same incident and counter-cases. It is settled principle of law that counter-cases are to be tried by the same Court one after the another and those are to be decided on their own merit without being influenced by the evidence of other cases. In such circumstances, application needs to be allowed. Hence, the order :-

ORDER

1. The application is allowed.
2. The S.C.C. No.31381/2023 pending on the file of J.M.F.C., Anti-Corruption Court, Pune (Smt. U. S. Alamodi) is hereby withdrawn and transferred to the court of District Judge-9 & Additional Sessions Judge, Pune (Shri. S. R. Salunkhe) wherein the Sessions Case No.181/2024 is pending, for its disposal in accordance with law.

3. The matters to be decided on their own merit.
4. Both the matters be expedited as per the Order dated 15/04/2024 passed by the Hon'ble Bombay High Court in Criminal Writ Petition No.1059 of 2024 & Criminal Writ Petition No.1064 of 2024.
5. The registry/ Office shall take necessary steps.
6. Application stands disposed of.

Pune.
Date:-20/11/2025.

(Mahendra K. Mahajan)
Principal District and
Sessions Judge, Pune.

CERTIFICATE

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

Name of the Steno : Sau. G. M. Naik (Steno, Grade I)

Name of the Court : Shri. Mahendra K. Mahajan,
Principal District and Sessions Judge, Pune

Date of Order : 20/11/2025

Order signed by : 24/11/2025
PO on

Order uploaded on : 24/11/2025