

**113 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM No.M-3002 of 2015

Date of Decision: February 10, 2015

Gurlabh Singh

.... Petitioner

vs.

State of Haryana and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. P.K. Ganga, Advocate for the petitioner.

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?

2. To be referred to the Reporters or not?

3. Whether the judgment should be reported in the Digest?

Kuldip Singh J.(Oral)

The petitioner seeks quashing of FIR No.17, dated 02.07.2014, under Sections 346, 363, 366, 354-A(1) of the Indian Penal Code, 1860 (in short 'IPC') and Section 8 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station GRP Sirsa, District GRP Ambala Cantt (Annexure P-1), along with charge sheet dated 11.09.2014 (Annexure P-4) on the ground that Sirsa Court has no territorial jurisdiction.

I have heard learned counsel for the petitioner and have also carefully gone through the case file.

A perusal of the statement of the prosecutrix shows that she started railway journey from Sirsa and reached Bathinda railway station, where the accused-revisionist allegedly enticed her away and taken further to Suratgarh (Rajasthan) by bus/train.

Under Section 183 of the Code of Criminal Procedure, 1973, when an offence is committed during journey or voyage, it could be inquired into or tried by a Court through or into whose local jurisdiction that person or thing passed during the course of that journey or voyage.

It will be a question of fact that as to what offence was committed during journey and where it was committed. This can be determined only after the evidence is recorded and appreciated by the trial court. Therefore, on the ground of want of jurisdiction, the FIR in question and the charge-sheet dated 11.09.2014 (Annexure P-4) cannot be quashed.

Accordingly, the present petition is dismissed.

February 10, 2015
sarita

(KULDIP SINGH)
JUDGE