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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Decision: July 21, 2015

+ **CRL.M.C. 3081/2012**

EKTA JHA Petitioner
Through: Mr. V.K. Jha and Mr. Neeraj
Bhardwaj, Advocates
versus

STATE (NCT OF DELHI)Respondent
Through: Mr.Praveen Bhati, Additional
Public Prosecutor for respondent-
State

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

% **JUDGMENT**
(ORAL)

While traveling from Bihar to Delhi, petitioner had lost her bag when the train was crossing Aligarh and on reaching Delhi, she had made a complaint to the local police, who had registered Zero FIR and had transferred the said FIR to the concerned police station in Aligarh.

Learned counsel for petitioner submits that Aligarh police has filed an untraced report in the said FIR.

Vide impugned order of 21st August, 2012, learned revisional court has opined that the concerned police station within whose jurisdiction theft has taken place would be better equipped as compared to Anand Vihar Police Station and so, there is no requirement to direct the registration of FIR in P.S. Anand Vihar, Delhi.

Attention of this Court is drawn to a decision of Punjab and Haryana High Court in *Harish Tiwari v. Vimal Kumar Singh*, 1995 CrL.L. J. 3859 and a decision of Himachal Pradesh High Court in *Charanjit Singh v. State of H.P.*, 1986 CrL. L. J. 173 to submit that the legal position in respect of interpretation of Section 183 of Cr.P.C. is that the place where the journey terminates also has the territorial jurisdiction to entertain the complaint and so, the impugned order does not reflect the correct legal position.

No doubt, in view of the decisions in *Harish Tiwari (supra)* and *Charanjit Singh (supra)*, Delhi courts have the territorial jurisdiction but since the untraced report has been filed in the case in hand, therefore, this Court is not inclined to exercise its inherent jurisdiction to interfere with the impugned order, which does not state in so many words that the Delhi Courts have no territorial jurisdiction. All that is said in the impugned order is that the Aligarh police station would be better equipped.

With the aforesaid observations, this petition is disposed of.

(SUNIL GAUR)
JUDGE

JULY 21, 2015

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