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**HIGH COURT OF CHHATTISGARH, BILASPUR**

**Cr.M.P No.1053 of 2016**

1. Parul Kumar Agrawal S/o Shri Omprakash Agrawal Aged About 28 Years R/o Hardhi Bazar Near College Chowk, Police Outpost Hardi Bazar, Civil And Rev. Distt. Korba Chhattisgarh.
2. Omprakash Agrawal S/o Late Shri Ramkumar Agrawal Aged About 61 Years R/o Hardhi Bazar Near College Chowk, Police Outpost Hardi Bazar, Civil And Rev. Distt. Korba Chhattisgarh.
3. Smt. Premlata Agrawal W/o Shri Omprakash Agrawal Aged About 58 Years R/o Hardhi Bazar Near College Chowk, Police Outpost Hardi Bazar, Civil And Rev. Distt. Korba Chhattisgarh.
4. Sandeep Kumar Agrawal S/o Shri Omprakash Agrawal Aged About 30 Years R/o Hardhi Bazar Near College Chowk, Police Outpost Hardi Bazar, Civil And Rev. Distt. Korba Chhattisgarh.
5. Ku. Sakshi Agrawal D/o Shri Omprakash Agrawal Aged About 26 Years R/o Hardhi Bazar Near College Chowk, Police Outpost Hardi Bazar, Civil And Rev. Distt. Korba Chhattisgarh.

**---- Petitioners**

**Versus**

1. State Of Chhattisgarh Through District Magistrate Durg, District Durg Chhattisgarh.
2. Smt. Nishtha Agrawal W/o Shri Parul Kumar Agrawal Aged About 23 Years D/o Shri Raghav Kumar Goyal, R/o. Padnabhpur, Quarter No. M.I.G. 373, Thana - Durg, Civil And Rev. Distt. Durg Chhattisgarh.

**-----Respondents**

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| For Petitioners:      | Shri Samir Singh Advocate.            |
| For Respondent/State: | Shri Rajendra Tripathi, Panel Lawyer. |

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**Single Bench: Hon'ble Shri P. Sam Koshy, J**  
**Order On Board**

**23.9.2016**

1. The present Petition has been filed seeking for quashment of the criminal proceedings in Criminal Case No.576/2016 pending before the JMFC, Durg. It is a case where Respondent No.2, wife of Petitioner No.1 has lodged a complaint against Petitioners at PS Mahila Thana, Durg on the basis of which the case has been put to trial before the JMFC, Durg.

2. Learned Counsel for the Petitioners, at the outset submits that he intends to assail the criminal prosecution at the Court of Durg only on the ground of jurisdiction as it has no territorial jurisdiction. He further submits that there has been no cause of action whatsoever that has been transpired within the territories of Durg to take cognizance and have jurisdiction. According to him, the police authorities ought to have processed the application and thereafter should have transferred it to the Court at Korba where the family of the Petitioners are located and it was where the Respondent No.2 was subjected to cruelty and ill-treatment.

3. However, on perusal of the record, it would show that earlier also, a complaint has been lodged at Women's police station on account of which, certain counsellings were all held where the Petitioners had also participated. It is also a case where Petitioner No.1 had, on an earlier occasion, after Respondent No.2 left her matrimonial home, gone to her parental home at Durg. This aspect of Petitioner No.1 having visited the house of Respondent No.2 itself is prima facie sufficient indication of some action that has transpired between the disputing parties within the territories of Durg and therefore, this Court does not find any illegality on the part of the Court below in proceeding further with the case at Durg.

4. The instant Criminal Revision thus being devoid of merits, the same is liable to be and is accordingly dismissed.

Sd/-  
(P. Sam Koshy)  
**JUDGE**