

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.16985 OF 2016

ORDER:

This petition is filed under Section 482 of Criminal Procedure Code (for short "Cr.P.C.") to quash the proceedings in C.C.No.507 of 2016 pending on the file of I Additional Judicial first Class Magistrate at Warangal, on the sole ground that the Court lacks territorial jurisdiction to try offences punishable under Section 498-A IPC.

Learned counsel for the petitioners drawn attention of this Court to judgment of the Supreme Court in **Manish Ratan v. State of M.P.**¹. In paragraph 10 & 11 of the said judgment, the Apex Court held as follows:

"10. Whether the allegations made in the complaint petition would constitute a continuing offence, thus, is the core question.

11. In a case of this nature, an offence cannot be held to be a continuing one, only because the complainant is forced to leave her matrimonial home."

The material on record produced by the learned counsel for the petitioner show certain allegations which took place within the territorial limits. However, it is not appropriate for this Court to decide whether the Court has got territorial jurisdiction or not. Hence, I deem it appropriate to direct the Judicial Magistrate of First Class to try the offence punishable under Section 498-A IPC

¹ (2007) 1 Supreme Court Cases 262

in C.C.No.507 of 2016 within one month from the date of receipt of this order, in accordance with law.

With the above direction, criminal petition is disposed of.

Consequently, miscellaneous petitions, if any, pending in this Petition shall stand closed. No costs.

JUSTICE M. SATYANARAYANA MURTHY

21.12.2016
SP

