

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 4374 OF 2016

Deepak Ajay Aggarwal and Another. ..Petitioners.
Versus
State of Maharashtra & Others. ..Respondents.

Mr. Deepak Ajay Aggarwal, the Petitioner-in-person.
Mrs. S. V. Sonawane, APP for the Sttae.
Mr. C. G. Jadhav i/b Mahesh Thorat for Respondent No. 3.

Coram : RANJIT MORE &
SARANG V. KOTWAL, JJ.
Date : **July 3, 2017.**

P. C. :

1. Heard at length Mr. Aggarwal, the Petitioner in-person.
Petition is filed seeking quashment of the FIR bearing CR. No. I-2344 of 2015 registered with Navghar Police Station. The said FIR is registered against the Petitioners at the instance of Respondent No.3. The FIR alleges the commission of offence punishable under sections 498A, 504 and 506 read with 34 of the Indian Penal Code, 1860 and sections 66(C) and 67 of the Information Technology Act.
2. We have gone through copy of the FIR which is annexed at Exhibit-A to the petition. It discloses that marriage between Petitioner No.1 and Respondent No. 3 was solemnised on 13th March 2012 and thereafter within a month, the Petitioners started harassing Respondent No.3 as they did not receive dowry / golden ornaments.

The FIR also discloses that this harassment was continued even when Respondent No. 3 came back to her parents' home at Bhayander. So far as the offence punishable under the Information Technology Act is concerned, the allegations made in the FIR are that Petitioner No.1 had posted objectionable material in respect of Respondent No. 3 and her sister on the fake facebook account. The learned APP on instructions makes a statement that investigation has revealed that Petitioner No.1 is the author of the said posts.

3. The Petitioner in person submitted that the allegations are false and levelled with ulterior motive. He further contended that there is no territorial jurisdiction to Navghar Police Station to entertain 3rd respondent's FIR. We do not agree with the submissions of the Petitioner. Whatever allegations are made in the FIR, we have to accept them as they are and the veracity of the same cannot be questioned at this stage. So far as the submission regarding territorial jurisdiction is concerned, the allegation discloses that offence is committed at Bhayander too. In the backdrop of this fact-situation we are not inclined to entertain this writ petition and the same is accordingly dismissed.

[SARANG V. KOTWAL, J.]

[RANJIT MORE, J.]