

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION Nos. 6063 AND 6097 OF 2018

COMMON ORDER:

These two criminal petitions are filed by the same petitioner who was shown as accused No. 1 in crime No. 31 of 2018 of Kamatipura Police Station, Hyderabad, registered for the offences punishable under Sections 384 and 506 read with Section 34 of IPC and crime No. 94 of 2018 of Reinbazar Police Station, Hyderabad, registered for the offences punishable under Sections 341 and 506 read with Sections 34, 109 and 507 of IPC.

2. The *de facto* complainant in both the crimes is one and the same. According to the allegations made in both the complaints, the incident allegedly occurred within the limits of Kamatipura Police Station but the *de facto* complainant lodged two different complaints with two different police stations for the reasons best known to him and they are pending for investigation.

3. The present petitions are filed to quash the proceedings in both the crimes on the ground that according to both the complaints, the incident allegedly took place within the limits of Kamatipura Police Station and not within the jurisdictional limits of Reinbazar Police Station and therefore the Station House Officer, Reinbazar Police Station, lacks jurisdiction to investigate into crime No. 94 of 2018. The ground raised by learned counsel for the petitioner is not sufficient to quash the proceedings as the police if find that they lack jurisdiction to investigate into, the procedure to be followed by them is to transfer the F.I.R. to the police concerned having territorial jurisdiction to investigate into. Therefore, the S.H.O., Reinbazar Police Station, is directed to verify whether or not the incident occurred within the territorial limits of Reinbazar Police Station

and if the incident has not occurred within the jurisdictional limits of Reinbazar Police Station, transfer the same to Kamatipura Police Station, Hyderabad, for investigation and to take further steps. However, the proceedings in crime No. 31 of 2018 of Kamatipura Police Station cannot be quashed as the investigation is not commenced yet and the facts are incomplete and hazy.

4. With the above observation and direction, both the criminal petitions are dismissed. Pending miscellaneous petitions, if any, in these criminal petitions shall stand dismissed in consequence.

Date: 15-06-2018.

JSK

SATYANARAYANA MURTHY, J.

