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

+ **W.P.(CRL) 1658/2018**

**SATYENDENDRA KUMAR THAKUR @ PAWAN**

**& ORS**

..... Petitioner

Represented by: **Mr. F.K. Jha and Mr. Shashank  
A. Singh, Advocates.**

versus

**GOVT. OF NCT OF DELHI & ANR**

..... Respondent

Represented by: **Ms. Purnima Malik, Advocate  
for Mr. Avi Singh, ASC for the  
State with SI Ranbir Singh, PS  
Nangloi.**

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

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**25.05.2018**

**Crl.M.A. No. 10265/2018 (Exemption)**

Allowed, subject to all just exceptions.

**W.P.(CRL) 1658/2018**

1. By the present petition the petitioners seek quashing of FIR No. 47/2018 under Sections 498A/406/34 IPC registered at PS Nangloi, Delhi on the complaint of respondent No.2.

2. Learned counsel for the petitioner contends that the Courts at Delhi have no jurisdiction to try the offence in terms of Section 177 Cr.P.C. and hence the FIR was wrongly registered. He states that the marriage was performed at Calcutta, the parties resided at Calcutta and thus no cause of action arose in Delhi.

3. A perusal of the above noted FIR reveals that the marriage between

**W.P.(CRL) 1658/2018**

**Page 1 of 2**

the parties was performed at Calcutta and the entrustment of articles was also at Calcutta, however, the complainant alleges that after the marriage when she used to demand her jewellery which was entrusted to the parents-in-law they used to refuse it and state that her husband had sold it. The in-laws would insult her on trivial matters and when she failed to comply with their demand she was sent to her parental home in Delhi and she was allowed to enter their house only if she brought twenty lakhs with her.

4. The FIR narrates a continuous course of harassment caused to the complainant and that every time maliciously the complainant was sent to Delhi at her parental home. The respondent No. 2 in the complaint has sought return of dowry articles entrusted to the petitioner at Delhi.

5. Section 177 Cr.P.C is qualified by Section 181 Cr.P.C. and sub-section (4) thereof provides that any offence of criminal misappropriation or of criminal breach of trust may be inquired into or tried by a Court within whose local jurisdiction the offence was committed or any part of the property which is the subject of the offence was received or retained, or was required to be returned or accounted for has also jurisdiction to try the offence.

6. As the complainant has sought return of her jewellery at Delhi, this Court would also have jurisdiction to try the offence. Thus this Court finds no ground to quash the FIR in question. Petition is dismissed.

7. Needless to note that if this aspect is found incorrect during the investigation the Court where the charge sheet is filed will transfer the same to the Court of competent jurisdiction.

**MUKTA GUPTA, J.**

**MAY 25, 2018/‘yo’**  
**W.P.(CRL) 1658/2018**