

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

CRIMINAL WRIT PETITION NO.1144 OF 2021

Prasanna Ishwarlal Kothari

... Petitioner

Vs.

State of Maharashtra & others

Respondents

Mr.A.M. Saraogi for the Petitioner

Mr.Deepak Thakare, Public Prosecutor with Mr.S.R. Shinde, APP,
for Respondent – State

**CORAM: S.S. SHINDE &
N.J. JAMADAR, JJ.**

DATED: JUNE 17, 2021

P.C.:

1. This Petition is filed for the following substantive prayer:

“(A) that this Hon’ble Court be pleased to issue an appropriate writ, order and directions directing quashing of FIR being FIR No.0063 / 2020 registered under the provision of section 419, 420 of IPC registered by the Respondent No.2 at the instance of the Respondent No.3 on such terms as this Hon’ble Court may deem fit and proper in the matter.”

2. The learned Counsel appearing for the petitioner submits that though the cause of action for filing this petition has arisen in

the State of Uttar Pradesh, this Court can invoke its extra-ordinary jurisdiction under Article 226 of the Constitution of India and can entertain this petition. In support of the aforesaid submission, the learned Counsel pressed into service exposition of law in the case of **Navinchandra N. Majithia vs. State of Maharashtra**¹.

3. The learned APP appearing for the Respondent – State vehemently submitted that since the entire cause of action arose in the State of Uttar Pradesh, it would be appropriate for the petitioner to invoke the jurisdiction of the appropriate forum in the State of Uttar Pradesh.

4. We have considered the submissions made by the learned Counsel appearing for the petitioner and the learned APP appearing for the State and with their able assistance, we have carefully perused the contents of the First Information Report and we are of the opinion that the entire cause of action arose in the State of Uttar Pradesh and, therefore, it would be appropriate for the petitioner to approach the concerned forum in the said State. We do not see any extra-ordinary reason or circumstances to entertain this petition.

1 2000 ALL MR (Cri.) 1905

5. Hence, the petition is rejected and stands disposed off accordingly. It is made clear that we have not expressed any opinion on the contentions raised in the petition.

(N.J. JAMADAR, J.)

(S.S. SHINDE, J.)