

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.3924 OF 2022

**RAJPREET LAHUSINGH @ GURMAILSINGH PAWAR AND OTHERS
VERSUS**

THE STATE OF MAHARASHTRA AND ANOTHER

...

Mrs. Asfia Nuzhat Ansari, Advocate for Applicants

Mrs. R. P. Gour, APP for Respondent – State

Mr. V. N. Rathod, Advocate for Respondent No.2

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 31st JANUARY, 2023

PER COURT :

1. This application is filed under Section 407(2) read with Section 482 of Cr.P.C. by the applicants/original accused in Crime No.164/2021, registered with Ambad Police Station, Jalna, for offences punishable under Sections 498-A, 323, 504, 406 read with 34 of the Indian Penal Code.

2. FIR is lodged by Kavita wife of applicant No.1, alleging that her marriage was performed with applicant No.1 on 14/06/2020 at Kailas Nagar, Zirapi Tanda, Ambad, District Jalna. After marriage she went to reside with applicants at Nanded and after 15 days of marriage applicants started ill-treating her for bringing Rs.2 Lakhs from her parents for purchasing Bullet motorcycle. Applicants used to give physical and mental ill-treatment to her. Ultimately on 01/02/2021 again she was beaten

by the applicants. Therefore, she called her father at Nanded. Her father came to Nanded at Vajirabad Police Station and applicants and informant were called there. Applicant No.1 refused to cohabit with her and told that if she wants to cohabit then she should bring Rs.2 Lakhs otherwise she will be killed.

3. Heard learned advocate for applicants, learned Additional Public Prosecutor for respondent No.1 and learned advocate for respondent No.2.

4. Learned Additional Public Prosecutor submits that in the present crime charge-sheet is filed on 27/04/2021 and the case is numbered as R.C.C. No.257/2021, which is pending in the Court of learned Judicial Magistrate First Class, Ambad.

5. Perusal of record and averments made in the FIR clearly discloses that offence has taken place at Nanded and Ambad Police Station had no jurisdiction to register the offence. Even if they wanted to register the crime, they should have registered the same at Zero number and transferred it to the Nanded Police Station. In this view of the matter, the trial is liable to be transferred at Nanded. Since the offence has taken place at Nanded, the Nanded Court has territorial jurisdiction to try the case.

6. In the result, application is allowed. R.C.C.

No.257/2021 pending on the file of learned Judicial Magistrate First Class, Ambad is transferred to the Court of Judicial Magistrate First Class, Nanded.

(NITIN B. SURYAWANSHI, J.)