

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 3466 OF 2023

Manish Singhal s/o. Rambabu Singhal & Ors. ... Petitioners

V/s.

The State of Maharashtra & Ors. ... Respondents

Mr. Ashok M. Saraogi for Petitioners.

Mrs.M.H. Mhatre, A.P.P. for Respondent-State.

CORAM : A. S. GADKARI AND
SHARMILA U. DESHMUKH, JJ.

DATE : 17th October 2023.

P.C. :

1) By the present Petition under Article 226 of the Constitution of India, the Petitioners have prayed for the following substantive relief :-

“that this Hon’ble Court be pleased to issue appropriate writ, order and direction directing the quashing of Case No. 16362 of 2023 pending to the Court of First Civil Judge (J.D.), First, Jaunpur and an FIR registered on the basis of the same by the Respondent No.2 on such terms as this Hon’ble Court may deem fit and proper.”

2) In exercise of its extra-ordinary jurisdiction under Article 226 of the Constitution of India, High Court has the power throughout the territory in relation to which it exercises jurisdiction to issue directions, Orders or writs within those territories. In the instant case, having heard learned counsel for the Petitioner it is evident that, the First Civil Judge (J.D.),

Jaunpur is seized of the matter. There is no iota of doubt in our mind that Court of the First Civil Judge Junior Division, Jaunpur, State of Uttar Pradesh being beyond the territorial jurisdiction of this Court, the proceedings pending on the file of the said Court, are not amenable to challenge before this Court.

3. Petitioner is having the substantive remedy to seek appropriate reliefs before the High Court in the State of Uttar Pradesh, if so advised.

4. By reserving the said remedy, Petition is disposed off.

(SHARMILA U. DESHMUKH, J.)

(A.S. GADKARI, J.)

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