

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

2024:PHHC:096281



110 CWP-17465-2024 (O&M).
Date of Decision: 30.07.2024.

BODH RAJ AND ANOTHER ..Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS .. Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

PRESENT Mr. Sylvester Stephen, Advocate, for the petitioners.

VINOD S. BHARDWAJ, J. (ORAL)

Challenge in the present writ petition is to the Notice under Section 35 (3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 dated 11.07.2024 (Annexure P-4) along with FIR No.25 dated 05.07.2024 under Sections 323, 406 and 498-A of the Indian Penal Code, 1860 issued by respondent No.8-Station House Officer, Women Police Station Sirohi, District Sirohi, Rajasthan against the petitioner on the complaint filed by private respondent No.9.

I have heard the learned counsel for the petitioner and perused the paper book.

It is not in dispute that respondent No.9 is resident of Chaman Nagar, Sirohi, Rajasthan and the FIR has also been registered at Women Police Station, Sirohi, District Sirohi, Rajasthan. It is also undisputed that the petitioners have been issued the above said statutory notice as per the provisions as contained in the Bharatiya Nagarik Suraksha Sanhita, 2023 and that the petitioners are required to take recourse to the remedies available to them in the High Court exercising the territorial jurisdiction since the above said FIR has admittedly been registered at Rajasthan.

The present writ petition is accordingly dismissed on account of this Court having no territorial jurisdiction to examine the said issue. The petitioners may, if so advised, take recourse to the appropriate remedies available to them before the competent Court in accordance with law.

July 30, 2024. (VINOD S. BHARDWAJ)
raj arora JUDGE

Whether speaking / reasoned : Yes / No
Whether reportable : Yes / No