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

+ **CRL.M.C. 6788/2023**

FARZANA KHATOON

..... Petitioner

Through: None.

versus

MEHROOM @ MUSTAKIM & ORS.

..... Respondents

Through: Mr. Laksh Khanna, APP for State
with Inspector Shailendra Kumar
Singh PS Okhla Industrial Area, New
Delhi.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

16.04.2024

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1. None appears for the petitioner. It is noted that even on the last date of hearing i.e. 15.04.2024, the petitioner had remained unrepresented.
2. With assistance of learned APP for the State, the Court has gone through the contents of the petition.
3. The present petition has been preferred under Section 482 Cr.P.C. against the order dated 01.02.2023 passed by the learned ASJ-04 & Special Judge(NDPS), Saket Courts, New Delhi in CR No.478/2022 titled 'Farzana Khatoon vs Mehroom @ Mustakim & Ors.', whereby the criminal revision preferred by the petitioner against the order dated 19.09.2022 passed by learned MM, came to be dismissed.
4. Vide order dated 19.09.2022, the learned MM had dismissed petitioner's application under Section 156 (3) Cr.P.C.
5. A perusal of the impugned order would show that both the Courts below have noted the facts and also the submissions of learned counsel for



the petitioner. It was conceded by learned counsel for the petitioner that though no offence was committed in the jurisdiction of PS Okhla Industrial Area, however, prayer was made for registration of a zero FIR.

6. The law in this regard is well settled by the Coordinate Bench of this Court in the decision of Ramesh Awasthi v. State of NCT of Delhi & Anr. dated 13.04.2017 passed in **CRL.M.C.666/2017**, wherein in similar circumstances, it was held that the learned MM erred in issuing directions to the concerned SHO for registration of zero FIR and thereafter to transfer the same to concerned police station. The relevant extract reads as under:-

“xxx

9. As noted above Section 154 Cr.P.C. unlike Section 156(1) does not prescribe for a restriction on registration of FIR in respect of an offence committed within the territorial jurisdiction of the police station. Thus even if the offence may have been committed beyond the territorial jurisdiction of a police station, the officer in-charge of the police station would still register the FIR and investigate thereon, however, a Magistrate under Section 156 (3) Cr.P.C. cannot direct to an officer in-charge of a police station beyond its territorial jurisdiction

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12. In view of the discussion aforesaid the learned Metropolitan Magistrate vide the impugned order dated 10th February, 2017 having clearly noted that there was not even a single allegation of commission of any kind of offence alleged to have been committed within the jurisdiction of PS New Ashok Nagar and the allegations were related to the workplace of the complainant which was Noida, U.P. and not within the jurisdiction of PS New Ashok Nagar clearly erred in issuing directions to the SHO, PS New Ashok Nagar for registration of zero FIR and thereafter to transfer the same to the concerned Police Station having jurisdiction in the matter as per the procedure...

xxx”



7. In view of the above, I find no ground to entertain the present petition and the same is accordingly dismissed.

MANOJ KUMAR OHRI, J

APRIL 16, 2024/rd