



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO.37 OF 2025

Mr. Alam Anwar Khan

.Vs.

State of Maharashtra, thr. Senior Inspector of Police Sitaburdi PS and
another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr. N.B. Rathod, Advocate for the petitioner.

Mr. A.B. Badar, APP for respondent No.1/State.

Mr. V.S. Mirshra, Advocate for respondent No.2.

CORAM : ANIL L. PANSARE AND
RAJ D. WAKODE, JJ.

DATED : 17.11.2025.

On 26.02.2025 following order was passed by
this Court (Coram: Nitin W. Sambre and Mrs. Vrushali V.
Joshi, J.J.)

“Heard.

2. *Mr. Virat S. Mirshra, learned counsel appearing for respondent No.2, who is complainant in Crime No.1240/2024 is seeking time to file reply.*

3. *In response to the Court's query, learned APP has placed on record a report dated 05.02.2025 submitted by Mr. Amol Prakashrao Gore, Investigating Officer-Assistant Police Inspector. We have perused the said report.*

4. *The documents which are enclosed with the said report are also sought to be looked into by this Court. However, we are unable to understand the relevance of those documents which are enclosed with the report. As such, the report and the documents are returned back to Mr. Doifode, as has been demanded.*

5. *The perusal of the first information report depicts that the incident which led to the registration of offence has completely taken place in Bombay and not in Nagpur; still respondent No.1 has proceeded to register the crime in the matter at Nagpur. The least that was expected in such an eventuality as is claimed by Mr. Patil, learned counsel appearing for the petitioner is that the respondents should have registered a zero first information report in Nagpur and transfer the same for investigation to the police authorities at Bombay.*

6. *Prima-facie there appears to be substance in the matter.*

7. *That being so, we direct respondent No.1 not to file charge-sheet against the petitioner until further orders.*

8. *Stand over to 12.03.2025.”*

2. As could be seen, the Court observed that from the contents of the First Information Report the entire incident took place in Mumbai and not in Nagpur. Despite such status respondent No.1 proceeded to register the crime at Nagpur. The option that was available to respondent No.1 was to register zero First Information Report at Nagpur and to transfer the same for investigation to the police authorities at Mumbai.

3. In context with above, we called upon learned APP to point out from the First Information Report whether any transaction or part of offence occurred in Nagpur; learned APP made an attempt to invite our attention to certain documents which are not part of the First Information Report. He was accordingly, called upon to read the First Information Report and to show from its contents that part of transaction took place at Nagpur to which he

fairly submits that from contents of First Information Report it appears that entire incident took place in Mumbai.

4. That being so, registration of First Information Report is without jurisdiction, the same shall be treated as zero First Information Report and shall be transferred to appropriate Police Station at Mumbai.

5. With the aforesaid direction, Criminal Writ Petition is disposed of.

6. All contentions are kept open.

[RAJ D. WAKODE, J]

[ANIL L. PANSARE, J.]

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