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

+ CRL.REV.P. 341/2021

MUNESH KUMAR @ MUKESH

.....Petitioner

Through: Ms. Smriti Sinha, Mr. Satyam Thareja,
Mr. Shikhar Yadav and Ms. Sara
Sherwani, Advocates.

versus

STATE GNCTD & ANR.

.....Respondents

Through: Mr. Utkarsh, APP for the State.
Mr. M.N.Dudeja and Mr. Aditya Mishra,
Advocates for R-2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

27.03.2025

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1. Petition under Section 397 read with Section 401 Cr.P.C has been filed against the Order dated 04.08.2021 vide which the charges have been framed.
2. Essentially the ground of challenge is that an Application under Section 179 Cr.P.C was also filed wherein an objection to the territorial jurisdiction of this Court was taken since the body of the deceased was found in Aligarh.
3. Furthermore, the suicide note was recovered after about 13 days wherein there was no specific of date, place etc and the rape being conducted on the deceased mentioned. Therefore, the impugned Order of framing of charge as well as observing that the Court has territorial jurisdiction are liable to be set aside.
4. Learned Prosecutor submits that part offence occurred in Delhi and there are specific allegations that the accused was residing with the deceased in her house in Delhi and had allegedly committed rape upon her on the false promise to marry. The statements of the witnesses have been recorded under Section 161 Cr.P.C which *prima facie* show that part offence has been committed in Delhi and, therefore, the learned ASJ has rightly observed that



this Court has territorial jurisdiction and has rightly framed the charges.

5. Learned counsel for the Complainant submits that all these aspects were argued and have been duly answered in the impugned Order by the learned ASJ. There is no infirmity in the Order and the Petition is liable to be dismissed.

6. **Submissions heard and Record perused.**

7. All the aspects as agitated by the Petitioner have been sufficiently dealt by the learned ASJ and it cannot be overlooked that this is an Order on charge and after the evidence is recorded these aspects would be considered on merits.

8. There is no merit in the present Petition which is hereby dismissed.

NEENA BANSAL KRISHNA, J

MARCH 27, 2025

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