IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.P.SANDESH

CRIMINAL PETITION NO.3705 OF 2022

BETWEEN:

1. MISS. IRAM PATHAN
   D/O MR. SUMIR PATHAN
   AGED ABOUT 26 YEARS

2. MR. AVAIZ PATHAN
   S/O SUMEER PATHAN
   AGED ABOUT 30 YEARS

3. MR. SUMEER PATHAN
   S/O LATE ABDULLAH PATHAN
   AGED ABOUT 64 YEARS

4. MRS. RASHIDA SUMEER PATHAN
   W/O SUMEER PATHAN
   AGED ABOUT 53 YEARS

   ALL ARE RESIDING AT NO.365/367
   SAI CHAMBERS, MAZANINE FLOOR,
   ROOM NO.1, NARSHI NATHA STREET
   KATHA BAZAAR, MUMBAI-400009

Digitally signed by DEVIKA M
Location: HIGH COURT OF KARNATAKA

...PETITIONERS

(BY SRI. DR. AKHIL B. YADAV, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
   REP. BY WHITEFIELD POLICE STATION
   BENGALURU
   REP. BY STATE PUBLIC PROSECUTOR
   HIGH COURT OF KARNATAKA
   BENGALURU-560001

2. MR. SAYYED MOHAMMED JAVED
S/O MR. BAASHA SAHEB
AGED ABOUT 31 YEARS
RESIDING AT
NO.DLT RESIDENCY NO.301
15TH CROSS, GREEN GARDEN LAYOUT
NEAR KUNDANAHALLI GATE
MUNNEKOLALA
BENGALURU-560007

…RESPONDENTS

(BY SRI. SUHAS GOWDA M, HCGP FOR R1;
SMT. ANKITA PATIL AND SRI R KOTWAL, ADVOCATES FOR R2)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C PRAYING TO QUASH PROCEEDINGS IN C.C.NO.28674/2021 FOR THE OFFENCE PUNISHABLE UNDER SECTION 66(C) AND 66(D) OF THE I.T ACT AND SECTIONS 384, 419, 420, 506 AND 507 R/W SECTION 149 OF IPC, PRODUCED AS ANNEXURE-C (VOLUMNE NO.3 AT PAGE NO.681) WHICH IS PENDING ON THE FILE OF THE I ACMM COURT AT BENGALURU AND ETC.

THIS PETITION HAVING BEEN HEARD AND RESERVED FOR ORDERS ON 15.10.2026, THIS DAY, THE COURT PRONOUNCED THE FOLLOWING:

CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

CAV ORDER

This petition is filed praying this Court to quash the proceeding in C.C.No.28674/2021 for the offences under Sections 66C and 66D of the Information Technology Act, 2000 (for short 'IT Act') and Sections 384, 419, 420, 506 and 507 read with Section 149 of IPC pending on the file of I ACMM Court, Bengaluru.

2. Heard the learned counsel appearing for the respective parties.

3. The factual matrix of case of the prosecution that based on the complaint given by the complainant in terms of Annexure-B, FIR was registered in Crime No.33/2021. Having registered the case, police have investigated the matter and collected the documents No.1 to 56 which have been filed along with charge sheet and so also, the prosecution cited witnesses as CW1 to 13. CW2 relies upon making of phone call details and causing of threat and so also CW3 speaks about call made by accused No.1 and accused No.4 demanding the money from the complainant and CW4 also speaks about cheating of the complainant and CW5 also speaks in the line of statement of CW4, CW6 is the person who registered the case and CW7 given the notice and CW8 to CW10 speak about that they went to Mumbai to apprehend the accused, CW11 to CW13 speak about conducting of the investigation and filing of charge sheet.

4. The charge sheet accusation is also very clear that these petitioners came in contact with the complainant in connection with opening of a profile in Jeevan Sathi website in 2020 and messages were exchanged between them. The

specific allegation is made that the petitioners pestering him to do sexual act and also snatching of money and also uploading the photographs in the Instagram, WhatsApp and Snapchat to blackmail the complainant. Hence, allegations are made against accused No.1 to 7 that they are indulged in snatching the money from the complainant and thereby cheated the complainant particularly, an amount of Rs.50,000/- when he went to Mumbai and also he was wrongfully restrained and cheated and abused and also caused the threat that if he gives any complaint, they will send him to jail.

5. The petitioners counsel in his arguments would vehemently contend that this is a case of offshoot of the complaint previously lodged by the petitioners and the complainant was arrested at Mumbai and the case was registered and investigated and filed the final report No.297/2020 on 22.12.2020 invoking Sections 354D, 507, 509, 417 of IPC and also Sections 66C and 67 of IT Act which is pending before the Hon'ble Additional Chief Metropolitan Magistrate, II Court (Mazgaon), Sewree, Mumbai and also he relies upon the document of Charge sheet at Annexure-D and translated document of Annexure-E. The counsel also vehemently contended that to counter the same, respondent

No.2 as a revenge, in order to harass the petitioners and defame them, filed a false complaint on 19.01.2021 subsequently and the Bangalore Police have registered the case in Crime No.33/2001 and without proper investigation have filed the charge sheet invoking the above offences.

6. The counsel also vehemently contend that prior to this complaint, already, the case was registered against the complainant and he was arrested and subsequently, released and also he gave phone call numbers where he alleges that he had received the threatening calls. The counsel also vehemently contend that respondent No.2 further claims that when he was not able to meet their demands, the petitioners falsely accused him before the Pydhonie Mumbai Police Station and he was arrested and the same is erroneous only with an intention to succumbent to the circumstances, such allegations are made in the complaint. The very complaint is baseless and it requires interference of this Court by exercising the power under Section 482 of Cr.P.C.

7. The counsel appearing for the petitioners, in support of his arguments relies upon the judgment reported in **AIR ONLINE 2020 SC 930** in the case of **AMISH DEVGAN vs**

UNION OF INDIA AND OTHERS wherein brought to notice of this Court paragraph 84 wherein the Apex Court discussed with regard to clarify that Section 179 of Criminal Code permits prosecution of cases in the Court within whose local jurisdiction the offence has been committed and consequences have ensued. Section 186 of the Criminal Code relates to cases where the two separate charge sheets have been filed on the basis of separate FIRs and postulates that the prosecution would proceed where the first charge sheet has been filed on the basis of the FIR that is first in point of time. Principle underlying Section 186 can be applied at the pre-charge sheet stage, that is post registration of FIR or before charge sheet is submitted to the Magistrate. In such cases ordinarily the first FIR, that is the FIR registered first in point of time, should be treated as the main FIR and others as statements under Section 162 of the Criminal Court.

8. The counsel also relies upon the judgment reported in **(2020) 20 SCC 184** in the case **RHEA CHAKRABORTY vs STATE OF BIHAR AND OTHERS** and brought to notice of this Court that paragraph 33 wherein the Apex Court extracted the judgment of Division Bench in the case of **Lee Kun Hee VS State of U.P. (2012) 3 SCC 132** wherein even extracted

paragraph 38 of the said judgment with regard to the Section 181 - place of trial in case of certain offences that any offence of criminal misappropriation or of criminal breach of trust may be inquired into or tried by a court within whose local jurisdiction the offence was committed or any part of the property which is the subject matter of the offence was received or retained, or was required to be returned or accounted for, by the accused person and the said proviso leaves no room for any doubt, that in offences of the nature as or subject matter of consideration in the present controversy, the court within whose local jurisdiction, the whole or a part of the consideration were required to be returned or accounted for would have jurisdiction in the nature. The counsel also brought a notice of this court paragraph 35 wherein discussion was made with regard to the options before the Mumbai Police.

9. The counsel also relies upon the judgment of Apex Court reported in **1992 SUPP (1) SCC 335** in the case of **STATE OF HARYANA AND OTHERS vs BHAJAN LAL AND OTHERS for** invoking of Section 482 to quash the same particularly Section 102 reasons given in Reason No.7 quashing of proceedings where a criminal proceeding is manifestly attended with mala fide and/or where the proceeding is

maliciously instituted with an ulterior motive for wreaking vengeance on the accused with a view to spite him due to private and personal drudge.

10. The counsel also relies upon judgment of the Apex Court reported **(2020) 10 SCC 92** in the case of **KAUSHIK CHATTERJEE vs STATE OF HARYANA AND OTHERS** and brought to notice of this Court paragraph 20.10 regarding whose local jurisdiction, the offence was committed and so also in paragraph 20.11 offence of criminal misappropriation or criminal breach of trust and the jurisdiction.

11. The counsel also relies upon the judgment of the Apex Court reported in **(2014) 2 SCC 1** in the case of **LALITA KUMARI vs GOVERNMENT OF UTTAR PRADESH AND OTHERS** particularly brought to notice of this court the discussion made in the judgment conducting of preliminary enquiry is concerned.

12. The counsel relying upon these judgments would vehemently contend that when the incident was taken place at Mumbai, the local police have no jurisdiction to investigate the matter and file the charge sheet and the same is only wreck vengeance for personal grudge as the complainant was having

since case was registered against him at Mumbai prior to the lodging of this complaint and hence, it is a clear case of abuse of process.

13. Per contra, the counsel appearing for respondent No.2 in her arguments with regard to the jurisdiction is concerned, relied upon the judgment of the Apex Court reported in **(1999) 8 SCC 686** in the case of **TRISUNS CHEMICAL INDUSTRY vs RAJESH AGARWAL AND OTHERS** wherein the Apex Court held that the jurisdictional aspect becomes relevant only when the question of enquiry or trial arises. It is therefore a fallacious thinking that only a Magistrate having jurisdiction to try the case has the power to take cognizance of the offence. If he is a Magistrate of the First Class, his power to take cognizance of the offence is not impaired by territorial restrictions. After taking cognizance, he may have to decide as to the court which has jurisdiction to enquire into or try the offence and that situation would reach only during the post-cognizance stage and not earlier.

14. The counsel also relies upon the judgment in the case of **KAUSHIK CHATTERJEE** referred supra which is also relied upon by the counsel appearing for the petitioners and

counsel brought to notice of this Court, the discussion made with regard to Sections 174 to 184 Criminal Procedure Code regarding the jurisdiction of criminal courts in enquiries and trials can be summarized and particularly, brought to notice of this Court clause (ii) in case of uncertainty about the place in which, among the several local areas, an offence was committed, the Court having jurisdiction over any of such local areas may inquire into or try such an offence. Also brought to notice of this court clause (vi) of consideration, summarising the principle where something is an offence by reason of that act done, as well as the consequence that ensued, then the offence may be inquired into or tried by a court within whose local jurisdiction either the act was done or the consequences ensured. The counsel also brought to notice of this court clause (xiii) wherein also held that an offence which includes cheating, if committed by means of letters or telecommunication messages, may be inquired into or tried by any court within whose local jurisdiction such letters or messages were sent or received. In clause (xv) discussed that some offences relating to marriage such as Section 494 of IPC and Section 495 of IPC with concealment or former marriage may be inquired into or tried by a court within whose local jurisdiction the offence was

committed or the offender last resided with the spouse by the first marriage are found in Section 182.

15. The counsel relying upon the principles laid down in the judgment brought to notice of this court Sections 177, 178, 179 particularly and also Section 182 of Cr.P.C. The counsel would vehemently contend that admittedly the Jeevan Sathi website was opened by the accused persons and the complainant made a request to the accused and both of them started chatting each other on different electronic modes. The counsel would contend that when the communications are reached in Bangalore or in any of the place also, investigation could be conducted. So also, the counsel would vehemently contend that it can be tried in Bangalore court also particularly relying upon Section 179 since act was done or the consequence ensued. Consequence was ensued in Bangalore and messages were also exchanged that is for illegally demanding the money and snatching the amount. Though the amount was snatched at Mumbai, Court has to take note of the circumstances under which, the alleged incident was taken place.

16. Having heard the learned counsel appearing for the respective parties and also on perusal of the principles laid down in the judgments referred supra, the points that would arise for the consideration of this Court are:

1. Whether it is a fit case to exercise the powers under Section 482 of Cr.P.C.?

2. What order?

Point No.1:

17. Having heard the learned counsel for the respective parties, the main issue raised by the learned counsel for the petitioners in this petition is that only with an intention to harass the petitioners and to take revenge as a case was already registered against respondent No.2, law was set in motion by filing a false complaint making false allegation. The learned counsel would vehemently contend that a completely improbable allegation cannot be the subject matter of any investigation or trial. It is contended that the offence if any even according to the complainant has been committed at Mumbai and therefore respondent No.1 police have no jurisdiction to entertain the complaint. The respondent No.2 falsely claims that on 12.09.2021 on the invitation of petitioner No.1 he travelled to Mumbai and after he made a phone call

asking her to pick him so that he would visit her house, petitioner No.1 came near Palladium Mall. The other allegation made in the complaint is nothing but false averment and respondent No.2 himself admits that petitioner No.1 blocked him from Facebook, Whatsapp, Snapchat etc. The other allegation that on the invitation of petitioner No.1, respondent No.2 again travelled to Mumbai on 25.09.2020, where petitioner No.1 met respondent No.2 at the resort according to the complaint given by respondent No.2 and petitioner No.1 along with her brother and father came to the resort and took him to New Mumbai and petitioner No.1 requested him to buy jewellery for marriage and then petitioner No.1 checked the salary slip of respondent No.2 and she insulted respondent No.2 is all a false story. The other allegation that petitioner No.1's brother snatched Rs.50,000/- from his pocket and abused him in a filthy language is also only with an intention to implicate the petitioners, false allegations are made. The learned counsel would contend that the Maharashtra Police after investigation came to the conclusion that he had committed an offence and he was arrested in Mumbai on 20.11.2020 and he was produced before the Magistrate. The learned counsel would contend that only with an intention to

take revenge, false allegations are made against these petitioners and it is nothing but an abuse of process and it requires interference.

18. The learned counsel in support of his arguments relies upon the judgment of the Apex Court in the case of **Amish Devgan** (supra) and brought to the notice of this Court paragraph No.84, wherein the Apex Court has discussed with regard to Section 179 of Cr.P.C. It is held that we would also like to clarify that Section 179 of the Criminal Code permits prosecution of cases in the Court within whose local jurisdiction the offence has been committed or consequences have ensued. Section 186 of the Criminal Code relates to cases where two separate charge-sheets have been filed on the basis of separate FIRs and postulates that the prosecution would proceed where the first charge-sheet has been filed on the basis of the FIR that is first in point of time. Principle underlying Section 186 can be applied at the pre-charge-sheet stage, that is, post registration of FIR but before charge-sheet is submitted to the Magistrate. In such cases, ordinarily the first FIR, that is, the FIR registered first in point of time, should be treated as the main FIR and others as statements under Section 162 of the Criminal code. Section 179 of Cr.P.C. is clear that when an act

is an offence by reason of anything which has been done and of a consequence which has ensued, the offence may be inquired into or tried by a Court within whose local jurisdiction such thing has been done or such consequence has ensued.

19. The learned counsel also relies upon the judgment of the Apex Court in the case of **Rhea Chakraborty** (supra) and brought to the notice of this Court paragraph No.33 wherein the Apex Court discussed the judgment in the case of **Lee Kun Hee v. State of U.P.** reported in **(2012) 3 SCC 132,** wherein extracted Section 181 of Cr.P.C. with regard to place of trial in case of certain offences and a discussion is made in the judgment that a perusal of the aforesaid provision leaves no room for any doubt, that in offences of the nature as are subject-matter of consideration in the present controversy, the Court within whose local jurisdiction, the whole or a part of the consideration '….were required to be returned are accounted for…..' would have jurisdiction in the matter. The learned counsel also brought to the notice of this Court paragraph No.35 wherein discussion was made with regard to options before Mumbai Police. Patna Police although found to be competent to investigate the allegation in the complaint, the FIR suggests that most of the transactions/incidents alleged in

the complaint occurred within the territorial jurisdiction of the State of Maharashtra. Mumbai Police was inquiring into the unnatural death of the complainant's son under Section 174 of Cr.P.C. The Court has to take note of the whole or part of the offence, but discussed with regard to option.

20. The learned counsel also relies upon the judgment of the Apex Court in the case of **Bhajan Lal** (supra), wherein scope of Sections 482, 154 and 157 of Cr.P.C. was discussed. Criminal proceeding – when can be quashed by the High Court in exercise of powers under Section 482 or Article 226. The learned counsel referring this judgment brought to the notice of this Court paragraph No.102, 7th principle that where a criminal proceeding is manifestly attended with mala fide and/or where the proceeding is maliciously instituted with an ulterior motive for wreaking vengeance on the accused and with a view to spite him due to private and personal grudge.

21. The learned counsel also relies upon the judgment of the Apex Court in the case of **Kaushik Chatterjee** (supra) and brought to the notice of this Court paragraph Nos.20.10 and 20.11. It is held that an offence of criminal misappropriation or criminal breach of trust may be inquired

into or tried by a Court within whose local jurisdiction the offence was committed or any part of the property was received or retained or was required to be returned or accounted for by the accused person. The learned counsel also relies upon the judgment of the Apex Court in the case of **Lalita Kumari** (supra) and brought to the notice of this Court that while discussing the issue between the parties, law can be summarised regarding jurisdiction is concerned. As to what type and in which cases preliminary inquiry is to be conducted will depend on the facts and circumstances of each case.

22. The learned counsel for respondent No.2 would vehemently contend that a profile was created on Jeevan Sathi.com in 2020 is not in dispute. Nude images were sent and marriage talks were also held between both of them. The petitioner No.1 invited the complainant/respondent No.2 to Mumbai and verified his salary details i.e., allegation. Communication was developed between both of them is not in dispute. The petitioner No.1 even threatened the complainant and communication between them was in different digital mode i.e., allegation. Though communication was started from Mumbai, it was reached to the complainant in Bangalore jurisdiction and the Court has to take note of the consequences

ensued. On account of the act of petitioner No.1, the complainant lost the job, as she made a complaint with the employer of the complainant, which has resulted in loss of employment and also tarnished his image within the local jurisdiction of Bangalore. The learned relying upon the very same judgment relied upon by the learned counsel for the petitioners in the case of **Kaushik Chatterjee** (supra) brought to the notice of this Court the discussion made with regard to Sections 177 to 184 of Cr.P.C. The expression "local jurisdiction" found in Section 177 is defined in Section 2(j) to mean "in relation to a Court or Magistrate, means the local area within which the Court or Magistrate may exercise all or any of its or his powers under Cr.P.C. In case of uncertainty about the places in which, among the several local areas, an offence was committed, the Court having jurisdiction over any of such local areas may inquire into or try such an offence. Where something is an offence by reason of the act done, as well as the consequence that ensued, then the offence may be enquired into or tried by a Court within whose local jurisdiction either the act was done or the consequences ensued and Section 179 is very clear with regard to the jurisdiction is concerned. The learned counsel also vehemently contend that an offence which

includes cheating, if committed by means of letters or telecommunication messages, may be inquired into or tried by any Court within whose local jurisdiction such letters or messages were sent or received. Hence, it is very clear that both of them were in digital communications and that the messages were received at Bangalore. Hence, the contention of the petitioners that the Investigating Officer as well as the Bangalore Court has no jurisdiction cannot be accepted at this stage.

23. The learned counsel also relies upon the judgment of the Apex Court in the case of **Trisuns Chemical Industry** (supra), wherein it is held that the jurisdictional aspect becomes relevant only when the question of enquiry or trial arises. It is therefore a fallacious thinking that only a Magistrate having jurisdiction to try the case has the power to take cognizance of the offence. If he is a Magistrate of the First Class his power to take cognizance of the offence is not impaired by territorial restrictions. After taking cognizance he may have to decide as to the Court which has jurisdiction to enquire into or try the offence and that situation would reach only during the post-cognizance stage and not earlier. But in the case on hand, it has to be noted that the charge-sheet is

filed and cognizance is taken and the issue of jurisdiction cannot be raised in this petition without making any application before the Trial Court.

24. Having considered the principles laid down in the judgments referred supra relied upon by the learned counsel for the petitioners and the learned counsel for respondent No.2, it is not in dispute that both petitioner No.1 and the complainant were in touch with each other and both of them developed friendship when a profile was created on Jeevan Sathi.com. It is also important to note that both of them were communicating with each other through digital mode i.e. WhatsApp messages, Instagram, Snapchat, etc. The records discloses that both of them discussed with regard to the marriage and also having extended the invitation, the complainant visited Mumbai. It is the specific allegation that when he went to Mumbai, threat was made to him by her family members and even she verified his salary details. But this Court does not want to discuss with regard to the issue of factual aspect. The scope of Section 482 of Cr.P.C. is very limited and this Court cannot go into the disputed factual aspect. It is also not in dispute that prior to this complaint, the petitioners had filed a complaint against the complainant and

case was registered by the Mumbai Police and he was arrested and released. The only contention raised by the petitioners is that in order to wreck vengeance and to take revenge, the present case is registered. This Court having taken note of the principles laid down in the judgments of the Apex Court in the cases of **Bhajan Lal, Lalita Kumari, Kaushik Chatterjee, Rhea Chakraborty and Amish Devgan,** relied upon by the petitioners as well as the learned counsel for respondent No.2, to take note of the factual aspects as well as the principles summarized in those cases.

25. It has to be noted that the principles laid down in the judgment of the Apex Court in the case of **Trisuns Chemical Industry** (supra), relied upon by the learned counsel for respondent No.2, is very clear that after taking cognizance, the learned Magistrate can decide as to the Court which has jurisdiction to enquire into or try the offence and that situation would reach only during the post-cognizance stage and not earlier. But in the case on hand, the very filing of charge-sheet is questioned and also taking of cognizance. The issue with regard to the jurisdiction cannot be considered by this Court in a petition under Section 482 of Cr.P.C. and this issue could be raised before the Magistrate in view of the

principles laid down in the judgments referred supra. It is also important to note that with regard to the judgment of **Kaushik Chatterjee** (supra), relied upon by both the learned counsel, the Court has to take note of Sections 177 to 184 of Cr.P.C. The expression "local jurisdiction" found in Section 177 is defined in Section 2(j) to mean "in relation to a Court or Magistrate, means the local area within which the Court or Magistrate may exercise all or any of its or his powers under Cr.P.C. It is important to note that it can be investigated by the Investigating Officer within the place in which an incident was taken place. Where an offence consists of several acts done in different local areas it may be inquired into or tried by a Court having jurisdiction over any of such local areas. Section 179 of Cr.P.C. is very clear that the offence may be inquired into or tried by a Court within whose local jurisdiction either the act was done or the consequences ensued.

26. The learned counsel for respondent No.2/ complainant would submit that consequence was ensued in Bengaluru jurisdiction and Section 179 of Cr.P.C. attracts and this is an issue with regard to deciding of jurisdiction by the Trial Court after post-facto cognizance. The issue cannot be dealt with as contended by the learned counsel for the

petitioners that there is no material to proceed against the petitioners. But the fact is that both of them were in contact with each other when the profile was created on Jeevan Sathi.com from 2020 onwards and both of them were communicating with each other. Subsequently differences arose and offences invoked against the petitioners in the charge-sheet are under the Information Technology Act as well as cheating and causing of threat and also invoked Section 507 of IPC. These are the issues to be considered in trial and this Court cannot come to the conclusion that only with an intention to wreck personal vengeance, charge-sheet is filed. No doubt, a specific allegation is made that an amount of Rs.50,000/- was snatched from the complainant at Mumbai and the said isolation of the said Act cannot be considered in view of Sections 177 to 184 of Cr.P.C. Section 178(c) of Cr.P.C. is very clear with regard to place of inquiry or trial where an offence is a continuing one, and continues to be committed in more local areas than one and the same also to be kept in mind.

27. This Court also would like to rely upon the judgment of the Apex Court in the case of **SATVINDER KAUR v. STATE (GOVT. OF NCT OF DELHI) AND ANOTHER** reported in **(1999) 8 SCC 728**. The Apex Court in paragraph

No.8 taken note of that the SHO has statutory authority under Section 156 of the Criminal Procedure Code to investigate any cognizable case for which an FIR is lodged and so also discussed the powers of the Investigating Officer. In paragraph No.10 discussed with regard to the territorial jurisdiction is prescribed under sub-section (1) to the extent that the officer can investigate any cognizable case which a Court having jurisdiction over the local area within the limits of such police station would have power to enquire into or try under the provisions of Chapter XIII. The Chapter XIII is also discussed in paragraph No.11, particularly Section 178(c) of Cr.P.C. which this Court has relied upon i.e., place of enquiry or trial. In paragraph No.14, it is held that further, the legal position is well settled that if an offence is disclosed the Court will not normally interfere with an investigation into the case and will permit investigation into the offence alleged to be completed. It is also settled by a long course of decisions of this Court that for the purpose of exercising its power under Section 482 of Cr.P.C. to quash an FIR or a complaint, the High Court would have to proceed entirely on the basis of the allegations made in the complaint or the documents accompanying the same per se; it has no jurisdiction to examine the correctness or

otherwise of the allegations. This judgment will come to the aid of respondent No.2.

28. This Court also would like to rely upon the judgment of the Apex Court in the case of **NASIRUDDIN KHAN v. STATE OF BIHAR** reported in **(1973) 3 SCC 99**. In paragraph No.9, it is held that according to the scheme of the Code, trial within a wrong territorial jurisdiction does not by itself vitiate it and even extracted Section 531 of the Code with regard to proceedings in wrong place.

29. This Court also would like to rely upon the judgment of Telangana High Court in the case of **VAMSI KRISHNA CHIKKAM v. STATE OF TELANGANA**, passed in Crl.P.No.1189/2024 delivered on 22.09.2025, wherein the High Court taken note of the judgment of the Apex Court in the case of **Satvinder Kaur** (supra), which this Court has referred. In paragraph No.15, it is discussed with regard to Section 178(c) of Cr.P.C. In view of Section 178(c) of Cr.P.C., when it is uncertain in which of the several local areas an offence was committed, or where it consists of several acts done in different local areas, the said offence can be inquired into or tried by a Court having jurisdiction over any of such local areas. The High

Court also discussed with regard to Section 177 in detail that rule laid down under Section 177 of the Code, therefore, cannot go to the root of the matter and does not make the trial of an accused by a Court having no territorial jurisdiction a nullity. The Court also taken note of the principles laid down in the judgment of the Apex Court in the case of **Nasiruddin Khan,** which has been referred by this Court. According to the scheme of the Code trial within a wrong territorial jurisdiction does not by itself vitiate it. An observation is also made that Sections 178 to 185 of the Code provide exceptions to the rule embodied in Section 177 and provide the circumstances in which an accused may be tried at a place other than the place of commission of the offence. Sections 218 to 223 of the Code provide exceptions to Section 177 and permit the trial of particular offences along with others in one Court. In paragraph No.18 taken note of judgment of the Apex Court in the case of **Trisuns Chemical Industry** (supra), wherein in paragraph No.14 it is held that, the jurisdictional aspect becomes relevant only when the question of enquiry or trial arises, not at the stage of taking of cognizance. An observation is also made that after taking cognizance the Magistrate may have to decide as to the Court which has jurisdiction to enquire into or try the

offence and that situation would reach only during the post-cognizance stage and not earlier. The High Court comes to the conclusion that at the stage of investigation it cannot be held that the SHO does not have territorial jurisdiction to investigate the crime.

30. Having considered the principles laid down in the judgments referred supra, it is very clear that there cannot be any challenge to the investigation on the ground of no jurisdiction. The issue of jurisdiction would arise only after post-cognizance stage. But in the case on hand, investigation is conducted, charge-sheet is filed and cognizance is taken. If the petitioners have any grievances, they can approach the Trial Court regarding trial is concerned whether the Court has got jurisdiction or not, but not at this stage. Hence, I do not find any force in the contention of the learned counsel for the petitioners to quash the proceedings. The prosecution also mainly relies upon the evidence of CW1 to CW13 and the same also has to be tested in trial and not at the time of taking the cognizance. Hence, I do not find any force in the contention of the petitioners to quash the proceedings initiated by the Bangalore Police in view of detailed discussion made above.

Point No.2:

31. In view of the discussions made above, I pass the following:

ORDER

The petition is dismissed.

Sd/-
(H.P.SANDESH)
JUDGE

SN/MD