

CrPC Section 156(2) , 178(c) – Jurisdiction – Investigation – Appellant was thrown out of her matrimonial home in Patiala, Punjab. She lodged a complaint at Police Station Kotwali, Patiala on the allegations of torture and dowry demand against the husband and in-laws. Thereafter, she came to Delhi to live with her parents. Within that time also, threats by her husband continued. The appellant filed a complaint with the Women’s Cell, Delhi and subsequently lodged an FIR relating to the offences under Sections 406 and 498-A IPC at Police Station Paschim Vihar, New Delhi. A question was raised by the accused as regards territorial jurisdiction of the Station House Officer, Police Station Paschim Vihar, New Delhi to investigate the FIR as the dowry items were entrusted at Patiala and the alleged cause of action arose at Patiala. To this, the High Court took the view that the said Investigating Officer at New Delhi had no territorial jurisdiction. This view of the High Court was, however, not approved by this Court while observing, inter alia, as under: –

“15. Hence, in the present case, the High Court committed a grave error in accepting the contention of the respondent that the investigating officer had no jurisdiction to investigate the matters on the alleged ground that no part of the offence was committed within the territorial jurisdiction of the police station at Delhi. The appreciation of the evidence is the function of the courts when seized of the matter. At the stage of investigation, the material collected by an investigating officer cannot be judicially scrutinized for arriving at a conclusion that the police station officer of a particular police station would not have territorial jurisdiction. In any case, it has to be stated that in view of Section 178(c) of the Criminal Procedure Code, 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 enquired into or tried by a court having jurisdiction over any of such local areas. Therefore, to say at the stage of investigation that the SHO, Police Station Paschim Vihar, New Delhi was not having territorial jurisdiction, is on the face of it, illegal and erroneous. That apart, Section 156(2) contains an embargo that no proceeding of a police officer shall be challenged on the ground that he has no territorial power to investigate. The High Court has completely overlooked the said embargo when it entertained the petition of Respondent 2 on the ground of want of territorial jurisdiction.”

Satvinder Kaur v. State (Govt. of NCT of Delhi) , (1999) 8 SCC 728

Editor See also [HERE](#)