

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NOS.943-945 OF 2002

Shyam Sunder Arora Etc.

...Appellant(s)

Versus

Ajay Chaturvedi and Ors. Etc. Etc.

...Respondent(s)

O R D E R

Heard learned counsel for the parties.

By the impugned order, the High Court has quashed First Information Report Nos.315 of 2000 and 434 of 2000 lodged at police station, Vigyan Nagar, Kota on the grounds that no offence was committed within the jurisdiction the court at Kota; that no offence was committed under the Indian Penal Code (for short, 'IPC') and the offence, if any, was committed under the Companies Act for which the complaint could have been filed only at the place of company's registered office, i.e., Mumbai.

We have carefully perused the two First Information Reports and are convinced that the offence was committed not only under the Companies Act, but also under the various provisions of the IPC and the High Court was not justified in holding otherwise. We are further of the view that in respect of the offence committed under the Companies Act, courts at Mumbai may have jurisdiction, but the offence under various provisions of the IPC was committed within the jurisdiction of courts at Kota. This being the position, the impugned order is liable to be set aside.

....2/-

Accordingly, the appeals are allowed, impugned order rendered by the High Court is set aside and petitions under Section 482 of the Code of Criminal Procedure, 1973, filed before the High Court are dismissed. Now the Police shall proceed to investigate the cases in accordance with law.

.....J.
[B.N. AGRAWAL]

.....J.
[G.S. SINGHVI]

New Delhi,
July 29, 2009.

