

MHST010010362021



Presented on : 01.06.2021
Registered on : 01.06.2021
Decided on : 29.07.2026
Duration Y M D
05 01 28

IN THE COURT OF ADDITIONAL SESSIONS JUDGE,

SATARA AT : SATARA

(Presided by Amit M. Shete)

CRI. REV. APPL. NO. 21 / 2021

Exh.No.

Arun Chandrakant Bhosale

Age : 65 yrs., Occu. Farmer

R/o Surli Tal.Koregaon Dist.Satara

Applicant

(Complainant)

...

Versus

1. Nitesh Rajaram Joshi

Senior Manager (Code No.NJ91987)

Birla Sunlife Insurance Company Ltd.,

Branch Code MH98240,

8th Floor, India Bull Building,

Lower Parel, Mumbai

2. Shree Krishnan Roo

c/o Shree Nitesh Rajaram Joshi

Senior Manager (Code No.NJ91987)

Aditya Birla Sunlife Insurance

Company Ltd.,Branch Code MH98240,

8th Floor, India Bull Building,

Lower Parel, Mumbai

3. The Authorized Signatory

Senior Manager (Code No.NJ99987)
Aditya Birla Sunlife Insurance
Company Ltd.,Branch Code MH98240,
8th Floor, India Bull Building,
Lower Parel, Mumbai

4. State of Maharashtra

District Government Pleader, Satara.

**... Respondents
(Accused)**

Cri. Rev. Application under Section 397 of the Code of Criminal
Procedure

Appearances:

Ld. Advocate Shri. P.R. Sutar,for the Applicant.

Ex parte against the respondent nos.1 and 2

Ld. Advocate Shri. S.B. Govekar for respondent No.3

Ld. APP Shri N.D. Muke for the State/ respondent No.4

: J U D G M E N T :

(Delivered on this 29th day of July, 2026)

1. Feeling aggrieved and dissatisfied by the order dt.05.03.2021 passed by the learned JMFC, (Court no.3), Satara in Criminal M.A. No.665/2019, the applicant (complainant) filed present revision application. By the impugned order, the learned Magistrate was pleased to return the complaint for its

proper presentation before the jurisdictional Magistrate. (The parties are referred as per their original nomenclature).

2. The relevant facts which are required can be noted as, the complaint came to be filed alleging the offence p/u/s 406, 420, 427 of IPC. In short, it is alleged that the complainant was working in Tarapur Matsyalay, Mumbai. He got acquainted with accused no.1 who induced the complainant to make investment in insurance policy with assurance of huge returns. The complainant started investment in Aditya Birla Sunlife Insurance Co. however, the accused, as promised, failed to give returns and therefore, the complaint.

3. The ld. Magistrate recorded verification of the complainant and thereafter, on finding that the learned Magistrate has no territorial jurisdiction, returned the complaint for its proper presentation. Thus, present revision application.

4. Gone through the revision application and documents filed on record. Following points arose for my determination and the same are answered accordingly for the reasons noted below:-

<u>Sr.No.</u>	<u>Points</u>	<u>Findings</u>
1.	Whether the learned Magistrate erred while passing the impugned order?	No.
2.	Whether interference is required?	No.
3.	What order ?	.. As per final order.

: REASONS :**As to Point Nos.1 to 3 :**

5. The applicant filed present revision application on 27.05.2021 (01.06.2021) and since then it is kept pending. The predecessor of this Court was pleased to issue notice to the respondents (proposed accused) on which, the respondent no.3 caused appearance. Thereafter, the revision remained pending. Therefore, by order dt.09.06.2026 passed below Exh.1, the revision was fixed for orders. Today, till end of second session, none appeared on behalf of the applicant.

6. On perusal of the complaint, verification of complainant and the impugned order, it is apparent on the face of the record that the impugned transactions as well as the alleged act of cheating, forgery and criminal breach of trust do take place at Mumbai. The so called transactions took place at Mumbai. Thus, the learned Magistrate considering the scope of the complaint coupled with Sec.11, 40 and 177 of Code of Criminal Procedure come to the conclusion that the learned Magistrate has no territorial jurisdiction to entertain the complaint. Thus, the learned Magistrate by passing impugned reasoned order, returned the complaint for its presentation before the proper Court having territorial jurisdiction.

7. The applicant / complainant has filed present

revision application challenging the said order however, failed to make out any ground so as to cause interference. On plain reading of the complaint, it is apparent that the alleged transaction took place at Mumbai and at the same time, the parties are residents of Mumbai. Thus, the learned Magistrate at Satara has no territorial jurisdiction. The order impugned is well reasoned. The applicant failed to make out any error, illegality or perversity within the impugned order so as to cause interference. Thus, I answer points accordingly and pass the following order:

: ORDER :

1. The criminal revision application stands rejected.
2. The order order dt.05.03.2021 passed by the learned JMFC, (Court no.3), Satara in Criminal M.A. No.665/2019 stands confirmed.
3. Pending applications, if any, stand disposed off.
4. Issue memorandum accordingly.

SATARA.
Dt.29.07.2026

(Amit M. Shete)
Addl. Sessions Judge, Satara.