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

CNR No. DLHC010390162026

+ **TR.P.(CRL.) 64/2026**

BRIGHTEX ENTERPRISES PVT LTD Petitioner
Through: **Mr. Sougat Sinha, Advocate.**

versus

NIKI INFOTECH PRIVATE LIMITED AND ANR.....Respondent
Through: **Ms. Supriya Juneja, Mr. Nikhil Singhvi, Mr. Mohit Seth, Mr. Soham Krishna Luthra & Mr. Dhroovik Patel, Advocates.**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **20.08.2026**

CRL.M.A. 25709/2026 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

TR.P.(CRL.) 64/2026

1. By way of the present petition under Section 447 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner seeks transfer of Complaint Case [NI Act] No. 3885/2022, instituted by it against the respondent under Section 138 of the Negotiable Instruments Act, 1881, from the Magistrate's Court in Patiala House Courts, New Delhi to the jurisdictional Magistrate's Court in Rohini Courts, District North, New Delhi.

2. It is contended that the complaint was filed in the proposed



Transferor Court, as the cheque in question had been presented at the Jhandewalan Branch of ICICI Bank, whereas, the law as settled in *Jai Balaji Industries Ltd. and Others v. HEG Ltd.*, [2025 SCC OnLine SC 2581], requires the complaint to be filed in the jurisdictional Court at the place where the complainant maintains its bank account.

3. Mr. Sougat Sinha, learned counsel for the petitioner, states that the petitioner - complainant maintained its bank account in Tagore Park, Model Town Branch of ICICI Bank, which falls within the jurisdiction of Rohini Courts, District North, New Delhi.

4. After some arguments, Ms. Supriya Juneja, learned counsel for the respondent, who appears on advance notice, submits that the complaint may be transferred to the jurisdictional Magistrate's Court in Rohini Courts, District North, New Delhi, but without prejudice to any rights and contentions of the respondent on merits.

5. In view of the above submissions, the transfer petition is disposed of with a direction that Complaint Case [NI Act] No. 3885/2022 shall be transferred from the Magistrate's Court in Patiala House Courts, New Delhi to the jurisdictional Magistrate's Court in Rohini Courts, District North, New Delhi.

6. The parties will appear before the Chief Metropolitan Magistrate, Rohini Courts, District North, New Delhi, on 09.09.2026, for appropriate consequential directions.

PRATEEK JALAN, J

AUGUST 20, 2026

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