

HON'BLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No.5666 OF 2015

ORDER:

This Criminal Petition is filed, under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'the Cr.P.C'), seeking to quash all further proceedings in C.C. No.563 of 2013 on the file of the Court of the Additional Judicial Magistrate of First Class, Nizamabad, which is said to have been filed by the second respondent-complainant for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881.

2. The main contention of the petitioner/accused is that since the cheque was dishonoured at Hyderabad, the Court at Nizamabad has no jurisdiction. The said contention is fallacious on the face of it. Admittedly the cheque got dishonoured at Nizamabad and the Court at Nizamabad has got jurisdiction. It is submitted that the matter has been settled. If that be so, it is open to the petitioner to approach the Court below to deal with the matter in accordance with law. It is also submitted that an arrest warrant has been issued against the petitioner. If that be so, it is open to the petitioner/accused to appear before the Court below and file an application under Section 70(2) Cr.P.C and the Court below shall dispose of the said application on merits on the same day.

3. With the above directions, the Criminal Petition is dismissed.

Miscellaneous petitions pending, if any, in the Criminal Petition shall stand closed.

M.S.K.JAISWAL, J

Date: 30.06.2015

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