

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Crl.Misc.No.M-35927 of 2013(O&M)

Date of Decision : 07.05.2015

Chanan Singh

....Petitioners

Versus

Sukhwinder Pal Kaur @ Sukhwinder Kaur Gill

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr. K.L.Arora, Advocate for the petitioner

Mr. R.S.Sihota, Sr. Advocate with

Mr. B.R.Rana, Advocate for the respondent

MAHESH GROVER, J.

The petitioner prays that complaint under Section 138 of Negotiable Instruments Act needs to be transferred out from Phagwara to Tarn Taran in view of issue of jurisdiction. He further relies on the decision of Hon'ble Supreme Court rendered in case titled as '**Dashrath Rupsingh Rathod vs. State of Maharashtra and another**' reported as 2014 (3) RCR (Criminal) 904.

After hearing learned counsel for the petitioner, I am of the view that such an issue of jurisdiction in view of the decision of the Hon'ble Supreme Court in aforesaid cited case needs to be agitated before the learned Trial Court which may apply its mind to the facts of the case and take appropriate decision in this regard upon such an application being moved.

May 07, 2015
rekha

(Mahesh Grover)
Judge