

THE HON'BLE SRI JUSTICE RAJA ELANGO

Transfer Criminal Petition No.103 of 2016

ORDER:

This Transfer Criminal Petition is filed under Section 482 Cr.P.C. seeking to transfer Crime No.25 of 2015 pending on the file of Judicial First Class Magistrate at Miryalaguda to any court at Hyderabad having competent jurisdiction to try the same.

Heard the learned counsel for the petitioner and perused the material.

It is the case of the petitioner that as per the recitals of the Memorandum of understanding entered into between the petitioners and the second respondents, an arbitration clause is existed according to which the transaction took place at Hyderabad and that the investigating agency at Miryalaguda has no jurisdiction to investigate the case.

Admittedly, the learned Magistrate within whose jurisdiction the crime is registered has not taken any cognizance as it is only in the FIR stage. If it is the case of the petitioners that the investigating agency does not have any jurisdiction to investigate the case, it is left open to the investigating agency to decide the same and transfer the case to the concerned police station having jurisdiction for the purpose of investigation, and hence, this Court is not inclined to interfere with the investigation. If the petitioner has any grievance on filing of the charge sheet that may be filed after completion of investigation, he can avail all the remedies available under law.

Accordingly, the Transfer Criminal Petition is dismissed. Consequently, miscellaneous petitions pending, if any, shall stand

closed.

RAJA ELANGO, J

Date: 06-04-2016

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