

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

CRM-M-4464 of 2015(O&M)

Date of decision: 10.03.2016

Kapil Puri

----Petitioner (s)

V/s

R.S. Arora

-----Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Ramandeep Singh, Advocate
for the petitioner.

Mr. Sumer Brar, Advocate for the respondent.

HARI PAL VERMA, J.(Oral)

Petitioner, namely, Kapil Puri son of Shri Prakash Puri, resident of 602, Menka 5th Road, Chembur, Mumbai, has filed the present petition under Section 482 Cr.P.C. for quashing of orders dated 20.01.2015(Annexure P-7) and 07.08.2014 (Annexure P-3), whereby, the trial Court has rejected the issue of transfer of case titled as “**R.S. Arora Vs. Kapil Puri**” bearing CC No.138MY/2013 dated 26.02.2013/01.07.2013, pending in the Court of Judicial Magistrate Ist Class, Gurgaon.

Learned counsel for the petitioner contends that after the filing of the present petition the amendment has been carried out in the Negotiable Instruments Act, 1881 (for brevity “the Act”) and,

therefore, in view of the amendment in the Act, the matter needs to be transferred to a Court of competent jurisdiction at Mumbai.

Learned counsel for the respondent does not dispute the amendment carried out in the Act and states that he has no objection in case the matter in dispute is ordered to be transferred/filed before a competent Court i.e. Mumbai.

Heard.

Taking into consideration the admitted position as well as the amendment carried out in the Act, the present petition is allowed and the orders dated 20.01.2015 (Annexure P-7) as well as 07.08.2014 (Annexure P-3) passed by Judicial Magistrate Ist Class, Gurgaon are set aside and the trial Court is directed to return the complaint to the complainant for filing the same before a Court of competent jurisdiction i.e. Mumbai.

Let the complaint be presented before the Court of competent jurisdiction at Mumbai within 30 days from today.

10.03.2016

Anjal

**[HARI PAL VERMA]
JUDGE**