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

+ CRL.M.C. 1313/2016 & Crl.M.A. Nos.5609-5610/2016

M/S ARISE INDIA LTD & ORS Petitioners
Through Mr.Vivek Luthra, Adv.

versus

M/S ALLIED MEDIA NETWORK PVT LTD Respondent
Through Nemo.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

% **04.04.2016**

The present petition has been filed by the petitioners under Section 482 of the Code of Criminal Procedure, for setting aside the order dated 15th January, 2016 passed by the learned Sessions Judge-05 (West), Delhi in Crl.Revision No.77/2015 and for recalling the order dated 13th August, 2015.

The record reveals that vide order dated 13th August, 2015 passed by learned Metropolitan Magistrate-01(NI Act)/West, Delhi, it was held that the complainant's bank account lies within jurisdiction of Mumbai Court. In view of the same and in compliance of Section 142-A (1) of Section 138 of Negotiable Instruments (Amendment) Ordinance, 2015, the matter was directed to be placed before the concerned Court of learned CMM/CJM, Mumbai Courts and the parties were directed to appear before the learned CMM/CJM, Mumbai Courts on 24th September, 2015 at 2:00 p.m.

Thereafter, the revision was filed against the order dated 13th August, 2015 which was decided vide order dated 15th January, 2016. It was argued before the revisional Court that the arguments advanced before the revisional Court was only challenging the order in respect of the condonation of delay and keeping in view the same, the revision petition was dismissed.

I have heard learned counsel for the parties at length and gone through the available records. Perusal of the order shows that the complaint has been transferred to Chief Metropolitan Magistrate/Chief Judicial Magistrate, Mumbai vide order dated 13th August, 2015. It has been submitted by learned counsel for the petitioners that the petitioners have not received any notice from the Court. The fact remains that the complaint in question was transferred by virtue of the amendment of the N.I. Act.

This Court is of the considered opinion that by virtue of the amendment of the N.I. Act, the Court of Metropolitan Magistrate was not having jurisdiction to try the same. So there is no question of invoking the jurisdiction under Section 482 of the Code of Criminal Procedure. However, the petitioners are at liberty to submit their grievance with regard to condonation of delay before the transferee Court.

With the above observation, the petition and applications are dismissed.

P.S.TEJI, J

APRIL 04, 2016/aa