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

+ CRL.M.C. 2726/2016

PRAVEEN JAIN

..... Petitioner

Represented by: Mr. Puneet Goel, Advocate

versus

STATE & ORS

..... Respondents

Represented by: Mr. Ravi Nayak, APP with SI:  
Mahendra, PS:Tilak Marg,  
New Delhi

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

**22.09.2016**

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The short grievance of the petitioner in the present petition is that, in the complaint filed by the petitioner under Section 200 Cr.PC, after examining the petitioner and his witnesses, the Court noted that it had no territorial jurisdiction to entertain the complaint and returned the complaint to be re-filed before the concerned court and the transferee court insisted on recording of the evidence afresh.

A report was called by this Court from the learned trial Court as to why evidence recorded in CC No.312/1/15 titled "Praveen Jain v. Som Dutt" was not returned/transferred to the Court concerned. A report has been received, as per which, since no application was filed by the petitioner seeking transmission of the entire record, including the statements of the witnesses examined, the same was not transferred to the transferee court. It

has also been pointed out that now the record has been directed to be sent by the CMM (Central Headquarters) so that the same can be transmitted to the concerned court where the complaint case titled “Praveen Jain v. Som Dutt” is pending presently.

In view of the fact that now the entire file, which includes the statements of the complainant/petitioner and his witnesses have been transmitted, it is hoped and expected that the learned trial Court, now seized of the matter, will not re-examine the witnesses unless it feels it necessary to do so.

In view of the above, the petition is disposed of.

**MUKTA GUPTA, J.**

**SEPTEMBER 22, 2016**  
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