

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

CRM-M-38705-2014
Date of decision : 10.03.2017

Rashim Kandhari

...Petitioner

Versus

M/s Mirabelle International and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Anupam Bhardwaj, Advocate,
for the petitioner.

Mr. Krishan M. Vohra, Advocate,
for Mr. Sumeet Goel, Advocate,
for the respondents.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 482 of the Code of Criminal Procedure has been filed for quashing of order dated 31.10.2014 (Annexure P-1) passed by the learned Judicial Magistrate Ist Class, Amritsar, whereby complaint dated 31.10.2014 (Annexure P-4) filed by the petitioner under Section 138 of the Negotiable Instruments Act, 1881, has been returned to the petitioner.

Today, learned counsel for the petitioner has placed on record the Gazette notification dated 15.06.2015 with regard to the Negotiable Instruments (Amendment) Ordinance, 2015 (No.6 of 2015) issued by Ministry of Law and Justice, New Delhi, in Court. The same is taken on record and marked as Mark 'A'.

In view of above said ordinance, issued in pursuance to

Criminal Appeal No.2287 of 2009 titled '**Dashrath Rupsing Rathod Vs. State of Maharashtra and another**', the jurisdiction shall be now of the Court of Judicial Magistrate Ist Class, Amritsar.

Accordingly, the impugned order dated 31.10.2014 (Annexure P-1) passed by the learned Judicial Magistrate Ist Class, Amritsar, is set aside. The Presiding Officer is directed to transmit the complaint to the competent court, which is stated to be Judicial Magistrate Ist Class, Amritsar. The parties shall appear before the learned trial Court on 28.03.2017.

Learned counsel for the petitioner states that in view of the above-said gazette notification, the instant petition has been rendered infructuous.

Dismissed as having been rendered infructuous.

10.03.2017
adhikari

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No