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

+ **TR.P.(CRL.) 95/2016**

KAMAL

..... Petitioner

Through: Mr. Mahavir Sharma and Mr.
Kanwarpreet Singh, Adv.

versus

RAJESH JAIN

..... Respondent

Through:

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
02.01.2017

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Crl. M.A. No.20268/2016

Exemption allowed, subject to all just exceptions. The application stands disposed of.

TR.P.(CRL.) 95/2016

The petitioner has preferred the present writ petition u/s 407 Cr PC for a direction to the learned CMM Rohini Courts/ Patiala House Courts to conduct trial in the cases titled Kamal v. Rajesh Jain bearing No.11/1A/2015 and Rajesh Jain v. Kamal bearing old case No.62A/1/15 (new case no.5446/2016) by the same learned MM.

The petitioner is facing prosecution in a complaint preferred by the respondent Rajesh Jain u/s 138 Negotiable Instrument Act. The petitioner already stands summoned in the said proceedings. The petitioner has also preferred a complaint u/s 200 Cr PC which is pending adjudication in the court of Sh. S.K. Sharma, MM, Patiala House Courts. The petitioner claims that two complaints arise out of the same transaction and, therefore, seeks that the same be transferred and tried by one court. Pertinently, in the petitioner's complaint, cognizance has not yet been taken by the learned MM. This petition is, therefore, premature.

Dismissed.

VIPIN SANGHI, J

JANUARY 02, 2017

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