

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-41693-2017 (O&M)
Date of Decision:-08.08.2018.

Bhan Singh @ Bhagwan Singh

.....Petitioner

Versus

HDFC Bank Ltd.

.....Respondent

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Karan Gupta, Advocate for the petitioner.

Mr. Saurabh Bhardwaj, Advocate for the respondent.

P.B. BAJANTHRI, J. (Oral)

In this petition, petitioner has sought for transfer of Complaint (Annexure P-1) bearing No.7557 of 2016, instituted on 21.11.2016 under Section 138 of the Negotiable Instruments Act pending before the Ld. Judicial Magistrate Ist Class, Patiala to Court of competent jurisdiction at Sangrur.

Learned counsel for the petitioner submitted that petitioner had obtained loan from the respondent-Bank and petitioner is a physically handicap to the extent of 70% and he is unable to travel from Sagrur to Patiala. Grievance of the petitioner is genuine and it is not disputed by the respondent-Bank. Therefore, Complaint (Annexure P-1) bearing No.7557 of 2016, instituted on 21.11.2016 is transferred from Court of Judicial

Magistrate Ist Class, Patiala to the Court of Judicial Magistrate Ist Class,

Sangrur. It is made clear that petitioner is not permitted to raise the issue of jurisdiction of the Court. Parties are directed to appear before the Chief Judicial Magistrate, Sangrur on 07.09.2018. Chief Judicial Magistrate, Sangrur is hereby directed to hear the case himself or make over to any Magistrate subordinate to him under Section 192 Cr.P.C. In the meanwhile, Trial Court is directed to ensure the delivery of the case file in the Court of Chief Judicial Magistrate, Sangrur.

With the above observations, petition stands disposed of.

(P.B. BAJANTHRI)
JUDGE

August 08, 2018.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.