

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

**CRM-M-6859-2018 (O&M)
Date of Decision:-01.10.2018**

Vipin

... Petitioner

Versus

Lal Chand Yadav

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Prikshit Yadav, Advocate
for the petitioner.

Mr. Chanderhas Yadav, Advocate
for the respondent.

GURVINDER SINGH GILL, J. (Oral)

This petition has been filed on behalf of accused Vipin seeking transfer of criminal complaint No.940/N.I. Act dated 22.09.2017 titled as Lal Chand Yadav vs. Vipin under Section 138 of Negotiable Instruments Act, 1881 which is pending in the Court of Judicial Magistrate Ist Class, Rewari to any other Court of competent jurisdiction outside the District.

Learned counsel for the petitioner has submitted that in the present case respondent-Lal Chand Yadav is an Advocate practicing in

District Courts, Rewari and on account of said fact no Senior Advocate is willing to come forward to defend the petitioner in the complaint and that he had consulted 5-10 Lawyers but to no avail.

Mr. Chanderhas Yadav, Advocate puts in appearance on behalf of the respondent-complainant and has filed power of attorney, which is taken on record. Learned counsel for the respondent-complainant has expressed that he has no objection for transfer of the case provided the same is transferred to some neighbouring District so that it is convenient for the complainant to pursue his complaint.

Both learned counsel are agreed that the complaint may be transferred to Sub-Division Kanina, District Mahendergarh, Haryana.

In view of the aforesaid position wherein the complainant is agreeable for transfer of the case to Sub-Division Kanina, District Mahendergarh, the petition is allowed and criminal complaint No.940/N.I. Act dated 22.09.2017 titled as Lal Chand Yadav vs. Vipin under Section 138 of Negotiable Instruments Act, 1881 which is pending in the Court of Judicial Magistrate Ist Class, Rewari is withdrawn and is transferred to the Court of Judicial Magistrate Ist Class, Sub-Division Kanina, District Mahendergarh. The record of the case complete in all respects be sent immediately from the Court of Judicial Magistrate Ist Class, Rewari to Judicial Magistrate Ist Class, Sub-Division Kanina, District Mahendergarh. Both the parties are directed to appear before the transferee Court on **25.10.2018**. The transferee Court shall proceed the matter in accordance with law and endeavor to dispose of the complaint expeditiously.

In view of the aforesaid order, the application bearing **CRM-27475-2018** in **CRM-M-6859-2018** for preponment is rendered infructuous and is dismissed as such.

The petition stands disposed of with aforesaid directions.

01.10.2018
Gaurav Sorot

(**GURVINDER SINGH GILL**)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No

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