

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.3308 of 2018

Arising Out of PS. Case No.- Year- Thana- District- Patna

Mr. Sanjay Kumar Chaudhary, partner and authorized signatory M/s New Electronic Plaza, H/O Neelam Mishra, Road No. 23C, Gurudwara Road, Keshari Nagar, Patna- 800024. (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through Director General of Police, Bihar.
2. The State of Haryana.
3. M/s Ncube India Services Pvt Ltd (NISPL), Plot No 221, Udyog Vihar, Phase -1, Gurugram -122016.
4. Mr. Sameer Sharma, Vice President, Live Guard Battery Pvt. Ltd SAR Group Company, Plot No. 221, Udyog Vihar, Phase-1, Gurugram- 122016.
5. Mr. Jawahar Chaudhary, Branch Manager , Live Guard Battery Pvt. Ltd. SAR Group Company, T.P. Agency Godown, Shalimar Cold Storage Gate No. 3, By Pass Road, P.O.- Anisabad, P.S.- Gardanibagh, Patna-800002 Bihar.
6. Mr. Luv Shastri, Authorised Representative, M/s Ncube India Services Pvt Ltd (NISPL), Plot No. 221, Udyog Vihar, Phase -1, Gurugram-122016.
7. Mr. Kumar Raushan, Branch Commercial Manger, T.P. Agency Godown, Shalimar Cold Storage, Gate No. 3, Bypass Road P.O.- Anisabad, P.S.- Gardanibagh, Patna-800002 Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Siddhartha Prasad, Advocate
	:	Mr. Sanjay Kumar Chaudhry, Advocate
For the State	:	Mr. Saroj Kumar Sharma, AC to AAG-III

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 11-01-2019

The petitioner has filed the instant writ petition for
quashing the complaint case bearing Complaint Case No.7017



of 2018 dated 03.04.2018 pending in the court of JMIC, Gurugram, District Court, Haryana.

2. The registry has raised an objection regarding maintainability of the present writ petition before this Court as the complaint case in which the petitioner has been made accused has been filed outside the territorial jurisdiction of this Court.

3. Though, initially an argument has been advanced by the learned counsel for the petitioner that the territorial jurisdiction for filing of cheque dishonour complaint, is restricted to the court within whose territorial jurisdiction the offence is committed, which is the location where the cheque is dishonoured, i.e. returned unpaid by the bank on which it is placing reliance on the ratio laid down by the Supreme Court in **Dashrath Rupsingh Rathod vs. State of Maharashtra and Another** since reported in **(2014) 9 SCC 129** while contending that in the instant case the cheque issued was of Canara Bank, Ramnagri Branch, Patna, hence, the institution of the complaint at Gurugram in Haryana is bad in law, after some arguments, he has sought leave to withdraw the writ petition with liberty to either move before the Punjab and Haryana court or before the court in which the complaint has been filed for the relief sought



for the redressal of the grievance. .

- 4. Leave is granted.
- 5. The writ petition is disposed of.

(Ashwani Kumar Singh, J)

Md. S/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	16.01.2019
Transmission Date	16.01.2019

