

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

CRM-M-39638-2014(O&M)

Date of Order:18.07.2019

Ravinder Pal Singh Sethi

..Petitioner

Versus

M/s Kang Trading Co.

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ravi Malhotra, Advocate, for the petitioner.
None for the respondent.

ANIL KSHETARPAL, J(Oral)

Prayer in the petition is to quash order dated 31.10.2014, filed by the accused for returning of the complaint on the ground that the Court does not have jurisdiction.

The complaint was filed under Section 138 of the Negotiable Instrument Act. By Act No.26 of 2015, Section 142A was added which reads as under:-

"142A. (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 or any judgment, decree, order or direction of any court, all cases transferred to the court having jurisdiction under sub-section (2) of section 142, as amended by the Negotiable Instruments (Amendment) Ordinance, 2015, shall be deemed to have been transferred under this Act, as if that sub-section had been in force at all material times.

In view of the aforesaid amendment, petitioner is relegated to the remedy before the trial court. The petitioner would be entitled to file an application, if after the amendment his grievance still survives.

July 18, 2019
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No