

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

124

**CRM-M-47911-2019(O&M)
Date of Order: 18.11.2019**

NS CONSTRUCTION COMPANY AND ANOTHER

..Petitioners

Versus

M/S RISHI FILLING STATION

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sanjay Jain, Advocate, for the petitioners.
Mr. Manoj Kumar, Advocate, for the respondent.

ANIL KSHETARPAL, J(Oral)

On 08.11.2019, while noticing the contentions of learned counsel for the petitioners, following order was passed:-

“Learned counsel for the petitioners while referring to Clause a of Sub-Section 2 of Section 142 of the Negotiable Instruments Act, 1881 submits that holder of the cheque/payee was having account at Village Patrari(Ambala) and mere presentation of the cheque at Manimajra Branch at Chandigarh would not confer jurisdiction to the Chandigarh Court.

Notice of motion for 18.11.2019.

Dasti only.

Petitioners are directed to serve respondent through its counsel in the trial Court.

To be listed in the urgent.”

After arguing at some length, learned counsel for the parties have arrived at a consensus. It has been agreed that the complaint filed under Section 138 of the Negotiable Instruments Act be remitted to the Court of competent jurisdiction at Naraingarh.

Keeping in view the aforesaid consensus arrived at, learned Judicial Magistrate Ist Class, Chandigarh is requested to remit the file of criminal complaint titled as **M/s Rishi Filling Station vs. NS Construction Company and another**, to the Court of competent jurisdiction at Naraingarh. The Court of competent jurisdiction at Naraingarh would proceed with the case in accordance with law.

Parties are directed to appear before the learned Judicial Magistrate Ist Class, Chandigarh on the date already fixed i.e. 22.11.2019, who would thereafter fix a date for appearance before the court of competent jurisdiction at Naraingarh.

Disposed of accordingly.

November 18, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No