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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **TR.P.(CRL.) 58/2023 & CRL.M.A. 11262/2023**

MAHIPAL SINGH

..... Petitioner

Through: Mr. Raj Kumar, Advocate.

versus

KULDEEP SINGH

..... Respondent

Through: Ms. Dimple Gauri, Advocate.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

29.02.2024

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1. This application has been filed under Section 407 Cr.P.C. on behalf of the Petitioner for transfer of complaint case under Section 138 NI Act bearing No. CC/NIACT/473/2021 from the Court of Ms. Nidhi Bala, learned MM, North-East District, Karkardooma Courts, Delhi to the Court of learned MM, Shahdara District, Karkardooma Courts, Delhi on the ground that the Petitioner has inadvertently filed the case before a Court which lacks the territorial jurisdiction to entertain the complaint.

2. In fact, the order passed by the Court on 19.04.2023 fortifies the stand of the Petitioner. Relevant part of the order dated 19.04.2023 is extracted hereunder for ready reference:

“Sh. Husnain Ali is examined to clarify the jurisdiction of the present court and he deposed that the bank of complainant falls within jurisdiction of PS Jafarabad.

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*It appears that this court does not have the jurisdiction.
Ld. Counsel for the complainant seeks adjournment to argue on this point.
Put up on 26.04.2023 at 2:00 pm.”*

3. Accordingly, complaint case bearing No. CC/NIACT/473/2021 is transferred from the Court of Ms. Nidhi Bala, learned MM, North-East District, Karkardooma Courts, Delhi to the Court of learned MM, Shahdara District, Karkardooma Courts, Delhi. Transferred case will be placed before the learned Principal District and Sessions Judge on 22.03.2024, for further proceedings.
4. Trial Court is requested to endeavour to dispose of the case received on transfer as expeditiously, as possible depending on its current pendency.

JYOTI SINGH, J

FEBRUARY 29, 2024/pa

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