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

+ **TR.P.(CRL.) 84/2024**

SUDHIR SINGH RATHORE

.....Petitioner

Through: Ms. Gayatri Nandwani, Ms. Mudita
Sharda, Mr. Adrian Abbi, Advs. with
petitioner

versus

STATE OF NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Satish Kumar, APP for the State
Mr. Rakesh Kumar, Mr. Sandeep Kr.
Yadav, Advs. for R-2

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

18.09.2024

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1. The present petition has been filed for transfer of complaint case No. 44680/2019 titled as Sudhir Singh Rathore v. Idul Julha from the Court of learned MM (NI Act-03) Dwarka Courts, New Delhi (South West) to the Court of learned MM, Tis Hazari Courts, West District, New Delhi.
2. Briefly stated facts of the matter are, that the petitioner gave a loan of Rs. 25,800 to Respondent/ Idul Julha, who issued a cheque dated 05.07.2019 that was dishonoured on 25.09.2019 due to insufficient funds. Petitioner filed a complaint on 13.12.2019. The case is at the stage of framing of notice. Respondent No.2 has raised a jurisdiction objection, as noted in the Order dated 28.07.2023. The dishonoured cheque was presented at a bank in Janakpuri, West Delhi, which falls under the jurisdiction of Tis Hazari Courts.
3. Learned counsel submits that the bank where the cheque was



presented falls within the jurisdiction of West District, Tis Hazari Courts, and the complaint was inadvertently filed in South West District. It has further been submitted that the petitioner issued the cheque bearing No. 151170 dated 05.07.2019 drawn on Central Bank of India, Gulmohar Park, New Delhi-110049. The cheque was presented on 24.09.2019 before Punjab National Bank, Nangal Rai, Janakpuri for encashment.

4. In view of the above, the complaint case No. 44680/2019 titled as *Sudhir Singh Rathore v. Idul Julha* is transferred from the Court of learned MM (NI Act-03) Dwarka Courts, New Delhi (South West) to the Court of learned MM, Tis Hazari Courts, West District, New Delhi.
5. Learned Principal District and Sessions Judge, Dwarka Courts, New Delhi (South West) is requested to send all records of case file to the learned Principal District and Sessions Judge, Tis Hazari Courts, West District, New Delhi.
6. Parties are directed to appear before the Learned Principal District and Sessions Judge, Tis Hazari Courts, West District on 04.10.2024. Learned Principal District and Sessions Judge, Tis Hazari Courts, West District, New Delhi shall assign the case to the competent court for trial in accordance with the law.
7. Copy of this order be sent to the learned Principal District and Sessions Judge, Dwarka Courts, New Delhi (South West) and learned Principal District and Sessions Judge, Tis Hazari Courts, West District, New Delhi.
8. In view of the above, the present Petition stands disposed of.



DINESH KUMAR SHARMA, J

SEPTEMBER 18, 2024/Pallavi/NA