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

+ **W.P.(CRL) 3214/2024**

GROUP CAPTAIN V K REDDY

.....Petitioner

Through: Mr. Srish Kumar Mishra, Advocate
via video-conferencing.

versus

YAMUNA PRASAD YADAV

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **15.10.2024**

CRL.M.A. 31053/2024

Exemption granted, subject to just exceptions.

The application stands disposed of.

W.P.(CRL) 3214/2024

By way of the present petition filed under Articles 226 and 227 of the Constitution of India read with Section 528 of Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks issuance of a direction to the learned Chief Judicial Magistrate, Patiala House District Courts, New Delhi to assign case bearing CC NI Act No. 0010571/2022 titled *Mrs. V. Padmaja Reddy vs. Yamuna Prasad Yadav* to an appropriate Judicial Magistrate First Class. The petitioner also seeks a direction to expedite further proceedings in the matter.

2. Mr. Srish Kumar Mishra, learned counsel appearing for the petitioner via video-conferencing submits, that the criminal complaint that is the subject matter of the present proceedings was first filed by the petitioner on 11.10.2022 under section 138 of the Negotiable Instruments Act, 1881 ('NI Act') before the concerned court in



Dwarka, New Delhi; but having found that territorial jurisdiction over the matter lay with the concerned court in Patiala House Courts, New Delhi, the petitioner withdrew the complaint from Dwarka and re-filed the same before the Patiala House Courts.

3. Mr. Mishra submits, that the complaint was filed in Patiala House Courts on 28.10.2022; but an application seeking condonation of delay in filing the complaint remained pending before that court up until 26.09.2024, on which date the concerned learned Judicial Magistrate First Class recused from hearing the matter; and the matter is now posted again before the learned Chief Judicial Magistrate, Patiala House District Courts, New Delhi on 16.10.2024 for passing appropriate orders.
4. In the above context, learned counsel seeks expeditious assignment and disposal of the criminal complaint.
5. Considering the contents of the petition and the submissions made at the Bar, this court does not deem it necessary to issue notice on the present petition.
6. The petition is however disposed-of, with a request to the learned Chief Judicial Magistrate, Patiala House District Courts, New Delhi to assign the matter to the court of competent jurisdiction expeditiously, in accordance with law.
7. The petition stands disposed-of, in the above terms.
8. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

OCTOBER 15, 2024/ss