



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7993-2025
DECIDED ON: 03.07.2025

RADHEY SONI

.....PETITIONER

VERSUS

RAJIV KUMAR

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Hari Om Sharma, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under section 407 of CR.P.C, 2023 (as amended up-to-date) with a prayer to transfer the complaint under section 138 of Negotiable Instruments Act, titled as "*Rajiv Kumar Versus Radhey Soni*" from the Ld. Sub Divisional Judicial Magistrate, Dhuri, bearing case No. Nact/25/2021, date of institution 03.02.2021 now pending for 17-01-2025, to any other court of competent jurisdiction i.e. Sub Divisional Court Complex, Kharar.

Mr. Sanjeev Goyal, Advocate has put in appearance on behalf of respondent and filed his Power of Attorney, which is taken on record.

Reply filed by way of an affidavit of Rajiv Kumar s/o Sh. Prem Sagar, r/o Dhuri, is taken on record. A copy of the same has been supplied to the counsel for the petitioner.

However, there is a dispute regarding the petitioner's ailment, as argued by the learned counsel for the petitioner, supported by medical records of treatment received at Paras Hospital, Sector 22, Panchkula.

The respondent has stated that he has no objection to the transfer of the trial in the present case to the Courts of JMIC at Sangrur, where a complaint bearing No. NACT-7-2021 is already pending between the parties under the titled as "*Sanjeev Goyal vs. Radhey Soni*".

In the light of above said statement, the present complaint bearing case No. Nact/25/2021, date of institution 03.02.2021 is transferred to the Court of Judicial Magistrate 1st Class, Sangrur, which shall be listed alongwith complaint No.NACT-7-2021.

However, the aforesaid concession is accepted by the Court on an undertaking given by the learned counsel for the petitioner that he will not absent himself from the proceedings any further until and unless due application have moved and is accepted by the concerned trial Court.

Looking at the conduct as well as the medical health of the petitioner, the trial Court is advised to proceed swiftly and conclude the trial in both the complaints within a period of 6 months from the date of receipt of certified copy of this order.

The petition stands disposed off, accordingly.

(SANDEEP MOUDGIL)
JUDGE

03.07.2025
Meenu

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