HC-KAR

NC: 2026:KHC:64631
CRL.P No. 14070 of 2026

CNR: KAHC010626232026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 14070 OF 2026 (407(Cr.PC) / 447(BNSS))

BETWEEN:

SMT. SANDYA RANI V.N.
W/O CHIKKANNA C.
AGED ABOUT 47 YEARS
RESIDING AT NO.198
4TH CROSS, 1ST MAIN
KAVERINAGARA, KANAKAPURA ROAD
THATAGUNI, KENGERI HOBLI
BANGALORE SOUTH -560 082.

...PETITIONER

(BY SRI SUCHITHRA C.R., ADVOCATE)

AND:

Digitally signed by G SHREELAKSHA
Location: HIGH COURT OF KARNATAKA

SMT. ANITHA
W/O SUNIL
AGE MAJOR, RESIDING AT
THATHGUNI VILLAGE AND POST
BEHIND DANALAKSHMI DUM BIRIYANI
KENGERI HOBLI
KANAKAPURA MAIN ROAD
BANGALORE - 560 082.
ALSO AT
DODDA KORATI VILLAGE
HOSAKOTE TALUK
BANGALORE RURAL DISTRICT 562 122.

...RESPONDENT

(BY SRI MANJU H.M., ADVOCATE)

CNR: KAHC010626232026

THIS CRL.P IS FILED UNDER SECTION 447 OF THE BHARATIYA NAGARIK SURAKSHA SANHITA, 2023 R/W SECTIONS 142(2) AND 142A OF THE NEGOTIABLE INSTRUMENTS ACT, 1881 PRAYING THAT TO ALLOW THIS CRL.P, TRANSFER C.C.NO.406/2025, TITLED SANDYA V ANITHA, PRESENTLY PENDING BEFORE THE COURT OF THE NO.2 ACJM, BENGALURU RURAL, TO THE COMPETENT/ APPROPRIATE JURISDICTIONAL COURT AT BENGALURU CITY HAVING TERRITORIAL JURISDICTION U/S 142(2) OF THE N.I ACT 1881.

THIS PETITION, COMING ON FOR ADMISSION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Complainant is before this Court in this petition filed under Section 447 of the BNSS, 2023 read with Sections 142(2) and 142A of the Negotiable Instrument Act, 1881 (hereinafter referred to as 'NI Act', for short) with a prayer to transfer C.C.No.406/2025 pending before the Court of II Additional Chief Judicial Magistrate, Bengaluru Rural District to any other jurisdictional Court at Bengaluru Urban District having territorial jurisdiction under Section 142(2) of the NI Act to consider and dispose of C.C.No.406/2025 on its merits.

2. Heard learned counsel for the petitioner. Learned counsel for the respondent is absent. Even on the last date of hearing, there was no representation on behalf of the respondent.

3. The petitioner herein has filed private complaint in PCR No.71/2025 before the Court of II Additional Chief Judicial Magistrate, Bengaluru Rural District against the respondent for the offence punishable under Section 138 of the NI Act. After recording the sworn statement of the complainant, trial Court has taken cognizance of the alleged offence and case was numbered in C.C.No.406/2025. In the said case, respondent has entered appearance and when the case was at the stage of recording complainant's evidence, this petition is filed seeking transfer of C.C.No.406/2025 to any other jurisdictional Court at Bengaluru Urban District for the purpose of trial and disposal of the said case in accordance with law. Learned counsel for the petitioner has brought

to the notice of this Court that the cheque in question was drawn on Union Bank of India, Banashankari Branch, Bengaluru and was presented by the petitioner through his Banker namely, Canara Bank, Konanakunte Branch, Bengaluru. Both the Banks are said to be situated within Bengaluru Urban District and therefore, request is now made to transfer the case pending before the Bengaluru Rural District for the reason that the Court before which the case is pending has no territorial jurisdiction to consider and dispose of the said case on merits.

4. I find some force in the contentions urged on behalf of the petitioner and if the prayer made in this petition is granted, the respondent - accused will not be put to any hardship and injury and on the other hand, if the prayer is refused, the petitioner may be put to irrepairable hardship and injury. Under the circumstances, in the interest of justice, I am of the opinion that the

prayer made in this petition needs to be granted. Accordingly the following:-

ORDER

1. Criminal Petition is ***allowed***.

2. C.C.No.406/2025 pending before the Court of II Additional Chief Judicial Magistrate, Bengaluru Rural District is withdrawn from the said Court and is directed to be placed before the Chief Judicial Magistrate, Bengaluru Urban District to be allotted to the jurisdictional Court of Magistrate in Bengaluru Urban District for the purpose of trial and disposal of the aforesaid case in accordance with law.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

MH/-
List No.: 1 Sl No.: 28