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

\# **CNR No. DLHC010477762026**

\+ **TR.P.(CRL.) 88/2026**

PAWAN KUMAR LAL .....Petitioner

Through: Mr. Kuldeep, Adv. (through VC)

versus

DHEERAJ .....Respondent

Through: None.

CORAM:
HON'BLE MR. JUSTICE ARUN BHARDWAJ

O R D E R

% 05.10.2026

CRL.M.A. 31121/2026

1. Allowed, subject to all just exceptions.

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2. Through the present petition, the petitioner prays as under :

> *"a. Transfer the Complaint Case no. C.C. 49372/2025 titled as 'Pawan Kumar Lal vs. Dheeraj', presently pending before the Hon'ble Court of Ld. Shiv Kumar, JMFC (N.I. Act)- 05, Dist. South West, Dwarka Courts, Delhi Under Section 138 of the Negotiable Instruments Act, 1881, to the Court of competent territorial jurisdiction of Chief Judicial Magistrate, First Class, Distt. West, at Tis Hazari Courts, Delhi.*
>
> *b. Direct the learned Hon'ble Court of Ld. Shiv Kumar, JMFC (N.I. Act)- 05, Distt. South West, Dwarka Courts, Delhi, to transmit the complete judicial case record of the aforesaid complaint case to the competent Court at Chief Judicial Magistrate First Class, Distt. West, Tis Hazari Courts, west district Delhi;*
>
> *Any other or further order (s), which this Hon'ble Court deems just and proper may also be passed in favour of the petitioner."*

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3. The petitioner has submitted that the complaint was filed, due to some confusion, at Dwarka courts (South-West District), but the jurisdiction is of the courts at West District.

4. To support his submissions, the learned counsel for the Petitioner, has placed reliance on response received from the Central Public Information Officer, Addl. Dy. Commissioner of Police, West District, New Delhi, under the Right to Information Act, 2005.

5. However, this Court is of the opinion that rather than going into the question as to which court has the jurisdiction, the proper course would be to let the court where the matter is pending take a decision and in case the learned magistrate is of the opinion that he has no territorial jurisdiction, he may place it before the concerned learned Principal District and Sessions Judge ('**PDJ'**). Thereafter, the learned PDJ may send the case to this Court for considering the transfer of the matter to the district in which the court has the jurisdiction.

6. With the above directions, the present petition is disposed of. Pending application(s), if any, also stand disposed of.

ARUN BHARDWAJ, J

OCTOBER 5, 2026
'KDK'

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