

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CRL) Nos.102-103 OF 2019

SANJIV JAIN ... PETITIONER(S)

VERSUS

KAUNTAM PAPERS LIMITED & ORS. ... RESPONDENT(S)

O R D E R

In these proceedings, the petitioner has sought the transfer of two criminal complaints which are pending before the Judicial Magistrate, 1st Class, Chandigarh to the Court of competent jurisdiction at Tis Hazari Court, Delhi.

The relief which is sought is in the following terms:

"a) Transfer the Criminal Complaint Number 5539/2015 & 5540/2015 titled as "M/s Kuantum Papers Limited Versus Shree Swastic Sales Corporation Private Limited & Ors." filed under Section 138 read with Section 141, 142 of the Negotiable Instruments Act, 1881 pending before Ld. Judicial Magistrate (1st Class), Chandigarh to the Court of Competent Jurisdiction at Tis Hazari Court, Delhi."

Notice was issued by this court on 22 February 2019.

In pursuance of the order of this Court, Mr. Aman Shanker, learned counsel has appeared on behalf of the first respondent.

During the course of the hearing, the Court has been apprised of the fact that while two complaint cases have been instituted at Chandigarh, three complaint cases have been instituted at Tis Hazari Court, Delhi.

Mr. Siddarth Dave, learned counsel appearing on behalf of the petitioner, has, on instructions, stated that the petitioner has no objection if the cases which are pending at Delhi are transferred to Chandigarh.

We accordingly order and direct that the following cases, which are pending before the competent court at Tis Hazari, Delhi shall stand transferred to the Court of the Judicial Magistrate, 1st Class, Chandigarh:

- (i) Complaint Case No.52875 of 2016 pending before the Court of Chief Metropolitan Magistrate, New Delhi;
- (ii) Complaint Case No.519781 of 2016 pending before the Court of Chief Metropolitan Magistrate, New Delhi;
- (iii) Complaint case No.519600 of 2016 pending before the Court of Chief Metropolitan Magistrate, New Delhi.

The complaints shall be heard together with the complaints which are pending before the Judicial Magistrate, 1st Class, Chandigarh, as noted earlier.

The Transfer Petitions are accordingly disposed of.

.....J.
(DR DHANANJAYA Y CHANDRACHUD)

.....J.
(HEMANT GUPTA)

NEW DELHI
MARCH 08, 2019

ITEM NO.36

COURT NO.11

SECTION XVI-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Transfer Petition(s)(Criminal) No(s).102-103/2019

SANJIV JAIN

Petitioner(s)

VERSUS

KAUNTAM PAPERS LIMITED & ORS.

Respondent(s)

(WITH IA No.25534/2019-STAY APPLICATION)

Date : 08-03-2019 These petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE HEMANT GUPTA

For Petitioner(s) Mr. Siddarth Dave, Adv.
Mr. Ashutosh Jha, AOR
Mr. Rishi, Adv.

For Respondent(s) Mr. Aman Shanker, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The Transfer Petitions are disposed of in terms of
the signed order.

Pending application, if any, stands disposed of.

(SANJAY KUMAR-I)
AR-CUM-PS

(SAROJ KUMARI GAUR)
COURT MASTER

(Signed order is placed on the file)