

Criminal case No. 3200009/2015

Order below Exh.1

1. In view of the Negotiable Instruments (amendments) Act , all the cases arising out of the Sec.138, which are pending in any court , whether filed before 15th , june 2015 or transferred to it, are to be transferred to the Court having Jurisdiction under subsection 2 of the Section 142. Section 142(2) provides that the offence under section 138 shall be inquired it to and tried within whose local jurisdiction where the cheque is delivered for collection through an account the branch of the bank where the payee or holder in due courses as the case may be , maintain the account is situated or

2. In view of the above insertion of the amendment with effect from 15th June, 2015 by way of above ordinance, now while scrutinizing the present complaint , it is found that the alleged account of the payee/holder in due course is not maintained within the local territorial jurisdiction of this Court and view of the the above amendments by the legislature , the present complaint is required to be returned to the complainant as this Court is having no territorial jurisdiction to proceed further with this case. Hence, following order is passed in the interest of justice.

Order

1. The present complainant is ordered to be returned to the complainant for presenting it to the proper Court, having the jurisdiction.
2. The complainant is ordered to collect necessary papers.
3. Complainant is also to supply the directed that compared copies according to Criminal Manual para 347(3)(4) on record of this case.

Date:- 26-07-2018

(B.H.GHASURA)

Adnl. Chief Metropolitan Magistrate

N.I. Act Court no-32 , Ahmedabad

(G J 0 0 9 8 3)