

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CRM (M) No. 102/2025
CrIM Nos. 204/2025, 205/2025.

MOHAMMAD HALEEM KHAN.

...PETITIONER (s)

Through: Mr. S.N. Ratanpuri, Advocate
Ms. Peer Fiza, Advocate.

VERSUS

QAISER NIZAMI.

...RESPONDENT(s)

CORAM:

HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE.

ORDER

28-02-2025

CrIM Nos. 204/2025

For the reasons stated in the application coupled with the submissions made at Bar, the same is allowed and the petitioner, for the time being, is exempted from filing the certified copy of the complaint and impugned order of cognizance. He shall, however, do the needful within a period of two weeks' from today.

Disposed of.

CRM No. 102/2025.

The petitioner has challenged the complaint filed by the respondent against him, alleging commission of offences under Section 138 of the Negotiable Instruments Act. Challenge has also been thrown to the proceedings initiated by the learned Judicial Magistrate 1st Class, Pattan, on the basis of the said complaint.

Learned counsel for the petitioner has submitted that the petitioner resides beyond the territorial jurisdiction of the learned trial Magistrate, therefore, it was

incumbent upon the learned Magistrate to hold a preliminary inquiry before taking cognizance of the offences.

Issue notice to the respondent subject to the petitioner taking necessary steps for effecting service upon the respondent within a week's time.

Be listed on 24.03.2025.

In the meanwhile, the proceedings of the complaint pending before the learned trial Magistrates shall remain stayed

(Sanjay Dhar)
Judge

SRINAGAR
28-02-2025
Showkat Khan

