

ITEM NO.1617

COURT NO.3

SECTION II-B

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). 334/2024

MD. HASSAN

Petitioner(s)

VERSUS

GREEN AGREVOLUTION PVT. LTD. & ANR.

Respondent(s)

(FOR ADMISSION and IA No.87126/2024-STAY APPLICATION)

Date : 19-04-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s) Mr. Himanshu Bhushan, AOR
Mr. Ganesh Khanna, Adv.
Mr. Gauraw Kumar, Adv.
Mr. Nikhil Ramdev, Adv.
Mr. Samar Pratap Singh, Adv.

For Respondent(s)

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

The petitioner who is facing trial in C.C. No.43306/2022 titled as "Green Agrevolution Pvt. Ltd. Vs. M/s Jabbar and Company and Anr, pending before the Judicial Magistrate First Class, Gurugram, Haryana for the offence u/s 138 of the Negotiable Instruments Act has approached this Court by way of this Transfer Petition seeking transfer of the aforesaid complaint to the Court of Judicial Magistrate First Class, Patna, Bihar.

It is submitted that no part of the cause of action took place at Gurugram so as to justify the filing of this complaint in the court of the Judicial Magistrate First Class, Gurugram, Haryana. The respondent complainant has taken advantage of its branch office being situated at Gurugram to present the cheque in

its bank account at Gurugram and thereafter initiated the prosecution in the court of the Judicial Magistrate First Class, Gurugram, Haryana by trying to create jurisdiction.

Issue Notice, returnable in six weeks.

In the meantime, there shall be stay of further proceedings in C.C. No.43306/2022 titled as "Green Agrevolution Pvt. Ltd. Vs. M/s Jabbar and Company and Anr, pending before the Judicial Magistrate First Class, Gurugram, Haryana.

(GEETA JOSHI)
SENIOR PERSONAL ASSISTANT

(MATHEW ABRAHAM)
COURT MASTER (NSH)