

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

RECORD OF PROCEEDINGS

TRANSFER PETITION (CRL.) NO(s). 95 OF 2006

A. JAYARAM BHAT

Petitioner(s)

VERSUS

M/S. INDIAN TONERS & DEVELOPERS LTD.

Respondent(s)

(With appln(s) for stay,amendment of prayer portion and office report))

WITH

T.P.(CRL) NO. 233 of 2006

T.P.(CRL) NO. 236 of 2006

(With applications for ex-parte stay and office report)

Date: 06/11/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE DALVEER BHANDARI

For Petitioner(s)

Mr. Munendra Kumar Singh, Adv.

in TR 95/06

Mr. A.K. Singh, Adv.

Mr. Irshad Ahmad,Adv.

In TR 233 & 236/06

Mr. Goodwill Indeevar, Adv.

For Respondent(s)

Mr. Pranab Kumar Mullick,Adv.

UPON hearing counsel the Court made the following

O R D E R

T.P. (Crl. Nos. 233 and 236 of 2006 stand dismissed while T.P.(Crl)No. 95/2006 stands

disposed of in terms of the signed order.

al Singh) (J.S. Rawat) (Kanw
t Master AR-cum-PS Cour

[Signed order is placed on the file].

IN THE SUPREME COURT OF INDIA

CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CRL) NO. 95 OF 2006

A. Jayaram Bhat Petitioner(s)

Versus

M/s. Indian Toners and Developers Ltd. Respondent(s)

With

TRANSFER PETITION (CRL) NO. 233 OF 2006

TRANSFER PETITION (CRL) NO. 236 OF 2006

O R D E R

These petitions under Section 406 of the Code of Criminal Procedure have been filed by the petitioner who was employee of the respondent-Company.

Proceedings under Section 138 of the Negotiable Instruments Act between the same parties are going on in the Court of Metropolitan Magistrate, New Delhi which are sought to be transferred to Bangalore [TP

(Crl) Nos. 233 and 236 of 2006]. By filing T.P.(Crl) No.95/2006, the petitioner has prayed for transfer of the similar proceedings pending at Rampur to New Delhi.

Having heard the counsel appearing on both sides and keeping in view the fact that two Complaint Cases are pending in the Court of Metropolitan Magistrate, New Delhi, we deem it appropriate to direct that Criminal Complaint Case No. 2576/2004 titled as Indian Toners and Developers Limited v. A. Jayaram Bhatt, pending in the Court of Chief Judicial Magistrate, Rampur (Uttar Pradesh) be transferred to a Court of competent jurisdiction at New Delhi for being tried along with Criminal Complaint Case Nos. 1396/2004 and 781 of 2004. Ordered accordingly. The Court at Rampur is directed to transmit the entire record of the aforesaid case to the transferee Court at New Delhi forthwith. The transferee Court shall, on receipt of the case record, proceed with and decide the case in accordance with law.

For the foregoing reasons, T.P.(Crl) Nos. 233 and 236 of 2006 stand dismissed while T.P.(Crl) No. 95/2006 stands disposed of accordingly.

.....J. (ASHOK BHAN)

New Delhi;J. (DALVEER BHANDARI)
November 06, 2006.

