

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

Petition(s) for Special Leave to Appeal (Crl) No(s).4860/2013

(From the judgment and order dated 12/03/2012 in CRLMP No. 618/2011 of The
HIGH COURT OF JHARKHAND AT RANCHI)

DINESH KUMAR JALAN

Petitioner(s)

VERSUS

STATE OF JHARKHAND & ANR

Respondent(s)

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

Date: 01/07/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. PATNAIK
HON'BLE MR. JUSTICE M.Y. EQBAL

For Petitioner(s) Mr. Aseem Mehrotra, Adv.
Mr. Abhijat P. Medh, Adv.

For Respondent(s) Mr. Akhilesh Kumar Pandey, Adv.
Ms. Swati Chandra, Adv.

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

The High Court has taken a view in the impugned order passed under section 482 Cr.P.C. relying on K. Bhaskaran v. Sankaran Vaidhyan Balan [AIR 1999 SC 3762] that such cheque was delivered at Pakur, the trial court has jurisdiction to try the offence under Section 138 of the Negotiable Instruments Act for return of the cheque by the bank at Kolkata.

Learned counsel for the petitioner cited the decision of this Court in Harman Electronics Private Limited v. National Panasonic India Private Limited (2009) 1 SCC 720 to contend that the trial court at Pakur had no jurisdiction to entertain the complaint.

We are not inclined to entertain this Special Leave Petition at this point considering the fact that the trial and the complaint is in its advanced stage. Hence we dismiss the Special Leave Petition leaving it open for the petitioner to raise the aforesaid contention before the trial court as well as the appellate Court.

We make it clear that we have not expressed any opinion on the contentions of the learned counsel for the parties and it will be open for the parties to raise all contentions that are available under law.

The Special Leave Petition is dismissed in the above terms.

[KALYANI GUPTA]
COURT MASTER

[SHARDA KAPOOR]
COURT MASTER

