

**IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION**

TRANSFER PETITION (CRIMINAL) NOS.117-118 OF 2025

SACHIN SATISH KORE & ORS. ETC.

PETITIONERS

VERSUS

RELIANCE COMMERCIAL FINANCE LIMITED ETC.

RESPONDENTS

O R D E R

1. Heard learned counsel for the petitioner.
2. Despite service, none has appeared for the respondent.
3. By these Transfer Petitions, the petitioners seek transfer of two proceedings: i) Complaint Case No.48996 of 2024 pending in the Court of Judicial Magistrate, Calcutta; ii) Complaint Case No.19338 of 2024 pending in the Court at Jaipur, Rajasthan.
4. The submission of the learned counsel for the petitioners is that insofar as the second case is concerned that relates to an offence under Section 138 of the Negotiable Instruments Act, 1881 ("NI Act"), whereas the other case relates to a loan transaction which was entered at Kolhapur and, therefore, the proceedings at Calcutta would not be appropriate. In that context, the prayer is to transfer both the cases to Kolhapur, Maharashtra.
5. We have perused the record. From the record, it appears that the complaint proceedings under Section 138 of the NI Act have been instituted at Jaipur on the allegations that the collecting Bank's Branch was at Jaipur and, therefore, the Court at Jaipur would have

jurisdiction to proceed with the complaint in light of the provisions of Section 142(2)(a) of the NI Act. As regards, the case pending in Calcutta, we find from the submissions made in the Transfer Petition that loan transaction had taken place at Kolhapur. In such circumstances, without expressing any opinion on the question of jurisdiction, as we find that one proceeding between the parties is pending at Jaipur, it would serve the ends of justice if both the proceedings are continued at Jaipur. We, therefore, partly allow the Transfer Petition(s). The proceedings pending at Calcutta shall be transferred to a Competent Court at Jaipur whereas, the prayer to transfer the proceedings from Jaipur to Kolhapur stands rejected.

6. The Transfer Petitions are accordingly disposed of. The concerned court at Calcutta is directed to transmit the records of the proceedings to the Court of District Judge, Jaipur, who shall, upon receipt of the records, assign the matter to a Competent Court within its jurisdiction to deal with the aforesaid proceedings.

7. Pending application(s), if any, shall stand disposed of.

.....J.
(MANOJ MISRA)

.....J.
(UJJAL BHUYAN)

NEW DELHI;
JULY 16, 2025.

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

Transfer Petition (Criminal) Nos.117-118/2025

SACHIN SATISH KORE & ORS. ETC.

Petitioners

VERSUS

RELIANCE COMMERCIAL FINANCE LIMITED ETC.

Respondents

IA No. 40048/2025 - EX-PARTE STAY

IA No. 40049/2025 - EXEMPTION FROM FILING O.T.

Date : 16-07-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) : Mr. Ratish Kumar Sharma, AOR
Mr. Umesh Dubey, Adv.
Mr. Rahul Tomar, Adv.

For Respondent(s) :

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

1. The Transfer Petitions are disposed of in terms of the Signed Order placed on the file.
2. Pending application(s), if any, shall stand disposed of.

(NEHA GUPTA)
SENIOR PERSONAL ASSISTANT

(SAPNA BANSAL)
COURT MASTER (NSH)