IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M – 2465 of 2011 (O&M) Date of decision:- March 30, 2011

M/s Al Azhar Technocrate Pvt. Ltd.

... Petitioner

Versus

M/s Somaik Henna Export Corporation ... Respondent

CORAM:- HON'BLE MR. JUSTICE GURDEV SINGH

Present:- Mr. Kunal Dawar, Advocate, for the petitioner.

Mr. R.B.Gupta, Advocate, for the respondent.

Gurdev Singh, J (oral)

Heard.

This petition under Section 407 Cr.P.C has been filed by the petitioner M/s Al Azhar Technocrate Pvt. Ltd., for the transfer of the complaint case No.2671/18.11.2006 filed under Sections 138 of the Negotiable Instruments Act, 1881 read with Section 420 IPC titled as "M/s Somaik Henna Export Corporation Vs. M/s Al Azhar Technocrate Pvt. Ltd." from the Court of Sh. Lokesh Gupta, JMIC, Faridabad, to some court of competent jurisdiction at Gurgaon.

It has been submitted by learned counsel for the respondent that he has no objection if the complaint is transferred to some Court at Palwal, without looking into the allegations and counter-allegations made by the parties, provided the petitioner pays the expenses of the respondent for engaging another counsel at Palwal.

Learned counsel for the petitioner has agreed to that proposition

of learned counsel for the respondent.

Accordingly, the petition is allowed and the above referred complaint is withdrawn from the file of the Court of Sh. Lokesh Gupta, JMIC, Faridabad and is transferred to Chief Judicial Magistrate, Palwal, for deciding the same in accordance with law. Petitioner shall pay ₹15,000/- to the respondent for engaging the counsel at Palwal.

The parties are directed to appear in that Court on 20.4.2011.

The petition is disposed of accordingly.

March 30, 2011 tripti

(Gurdev Singh) Judge