



CRM-M No.2287-2025

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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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**CRM-M No.2287-2025 (O&M)
Date of Decision: 17.01.2025**

Avtar Singh

.....Petitioner

Versus

Bahadur Singh

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** Mr. Naveen Sharma, Advocate for the petitioner.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 447 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for transfer of complaint case No.NACT-321 dated 21.08.2019 titled as '*Bahadur Singh versus Avtar Singh*' from the Court of learned JMIC, Amloh, District Fatehgarh Sahib to any Court of Competent Jurisdiction at Khanna, District Ludhiana.

2. The only arguments raised by learned counsel for the petitioner is that there are two separate complaints filed by both sides i.e. petitioner as well as respondent; thus, there may be conflicting judicial opinion. Hence, in order to avoid such a situation, both the complaints be decided by the same Court.

3. Heard learned counsel for the petitioner and perused the paper book.

4. It is not in dispute that aforesaid complaints have been filed under Section 138 of the Negotiable Instruments Act, 1881 on account of dishonour of two different cheques i.e. Cheque bearing No.777425 dated 10.06.2019 amounting to Rs.13,84,000/- drawn on Oriental Bank of

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Commerce, Branch Ikolaha, Tehsil Khanna, District Ludhiana from petitioner's account No.00742010054390 issued in favour of the respondent and Cheque bearing No.000116 amounting to Rs.11,00,000/- drawn on HDFC Bank Branch, 25-52, Bypass Road, Amloh, District Fatehgarh Sahib issued in favour of petitioner.

5. Since, both the complaints are to be decided on the basis of material that may be produced by respective parties during trial, therefore apprehension of conflicting opinion would be preposterous.

6. In view of the above, there is no occasion to entertain the petition merely on the basis of assumption of the petitioner.

7. Consequently, there is no option except to dismiss the petition.

8. Ordered accordingly.

9. The above observations be not construed as an expression of opinion on merits of the case in any manner.

Pending application(s), if any, shall also stand disposed off.

17.01.2025

Rajeev (rvs)

(MAHABIR SINGH SINDHU)**JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No