

CASE NO.:
Transfer Petition (crl.) 91 of 2006

PETITIONER:
Worldcom Multimedia & Ors

RESPONDENT:
Arvind Kumar

DATE OF JUDGMENT: 07/03/2008

BENCH:
CJI K. G. Balakrishnan & R. V. Raveendran

JUDGMENT:
JUDGMENT
O R D E R

TRANSFER PETITION (CRL.) No. 91 OF 2006

Heard learned counsel for the petitioners.

2. Though the respondent was served with notice, he has not chosen to appear.
3. The petitioners seek transfer of the complaint filed by the respondent before the Chief Judicial Magistrate, Kadamkuan, Patna, Bihar. The petitioners' Company is having its registered office at New Delhi. The complainant alleges to be a representative and agent of M/s CFL Capital Financial Services Ltd., having its registered office at Kolkata. Admittedly, the petitioners had nothing to do with the complainant (Respondent herein) in his personal capacity. Neither the complainants nor the company on whose behalf the respondent allegedly filed the complaint have their place of business at Patna, nor did any transaction take place at Patna.
4. Having regard to the facts and circumstances of the case, the Complaint Case No.409 (C) of 2005, titled as Arvind Kumar vs. Worldcom Multimedia & Ors, pending before the Court of Chief Judicial Magistrate, Patna, Bihar shall stand transferred to the Court of Chief Judicial Magistrate, New Delhi.
5. The Transfer Petition is allowed accordingly.