

IN THE SUPREME COURT OF INDIA

CRIMINAL ORIGINAL JURISDICTION

Transfer Petition (Criminal) No.197/2026

MOHAMMAD ROSHANUDDIN FOR M/S ROSHAN
ENTERPRISES

..... PETITIONER(S)

VERSUS

LIVGUARD ENERGY TECHNOLOGIES PVT.
LTD.

..... RESPONDENT(S)

O R D E R

1. We have heard learned counsel for the parties.
2. Though an attempt at settlement was made, the same has failed.
3. Today also we made a query to learned counsel for the petitioner who submits that the Transfer Petition may be heard on its own merit.
4. Petitioner seeks transfer of Complaint Case No. COMP/ 138/ NIA/120/2025 (*Livguard Energy Technologies Pvt. Ltd. Vs. Roshan Enterprises*) filed by the respondent under Section 138 of the Negotiable Instruments Act, 1881 and pending in the Court of Learned Civil Judge cum Judicial Magistrate, First Class, District Una, Himachal Pradesh to the Court of learned Judicial Magistrate, First Class at Rajahmundry, Andhra Pradesh.
5. In the course of the hearing today, it has transpired that the petitioner who has been made an accused in the complaint proceeding instituted at Una, Himachal Pradesh. Petitioner is a resident of Rajahmundry in which place the cheque in question was issued.
6. Though learned counsel for the respondent has made strenuous submission to the effect that the complaint case should not be

transferred but even if transferred, it should be to Hyderabad and not to Rajahmundry because the company has no office at Rajahmundry, we are not inclined to entertain the said submission.

7. At the first instance it is the respondent who has initiated the proceedings at Una in Himachal Pradesh though the transaction in question took place at Rajahmundry. That apart, respondent has its registered office at Gurgaon. Yet it choose to institute the proceeding at Una.

8. On due consideration, we are of the view that a case for transfer is made out.

9. Accordingly, we direct that the entire case record of Complaint Case No.COMP/138/NIA/120/2025 shall be forthwith transferred from the Court of Learned Civil Judge cum Judicial Magistrate, First Class, District Una, Himachal Pradesh to the Court of learned Judicial Magistrate, First Class at Rajahmundry, Andhra Pradesh.

10. Transfer Petition is accordingly allowed.

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

.....J.

(UJJAL BHUYAN)

.....J.

(ATUL S. CHANDURKAR)

NEW DELHI;
August 20th, 2026.
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S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Transfer Petition (Criminal) No. 197/2026

MOHAMMAD ROSHANUDDIN FOR M/S ROSHAN ENTERPRISES Petitioner(s)

VERSUS

LIVGUARD ENERGY TECHNOLOGIES PVT. LTD. Respondent(s)

IA No. 37921/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 37919/2026 - STAY APPLICATION

Date : 20-08-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UJJAL BHUYAN
HON'BLE MR. JUSTICE ATUL S. CHANDURKAR

For Petitioner(s) :Ms. Prachi Johri, AOR
Mr. K. Devi Prasanna, Adv.
Mr. Sachin Jain, Adv.
Mr. Himanshu Sharma, Adv.

For Respondent(s) :Mr. Amulya Dhingra, Adv.
Mr. Krishna Dev Pandey, AOR
Mr. Dhiraj Pandey, Adv.
Ms. Anvika Sharma, Adv.
Mr. Manoj Kumar Rai, Adv.

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

1. Transfer Petition is allowed in terms of the signed order.
2. Pending application(s), if any, shall stand disposed of.

(IRAMNAZ)
COURT MASTER (SH)

(CHETNA BALOONI)
COURT MASTER (NSH)
(signed order is placed on the file)