

IN THE SUPREME COURT OF INDIA  
CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION(S)(CRIMINAL) NO(S). 943/2025

DEEPAK NAGPAL

PETITIONER(S)

VERSUS

M/S ANABOND LIMITED

RESPONDENT(S)

WITH

TRANSFER PETITION (CRIMINAL) NO(S). 1160/2025

O R D E R

1. The petitioner (common in both the petitions) has filed these transfer petitions for transfer of cases bearing C.C. No.1625/2024 & STC No.1624/2024 titled as "M/s Anabond Limited vs. Deepak Nagpal" filed by the respondent-Company under Sections 138 & 142 of the Negotiable Instruments Act, 1881, from the Court of Metropolitan Magistrate(Fast Track Judge) Saidapet, Chennai, Tamil Nadu to the competent Court of First-Class Judicial Magistrate, Jabalpur, Madhya Pradesh.

2. As per order dated 24.03.2026 in T.P.(Crl.) No.1160/2025 by mutual consent, the parties were relegated to take recourse of mediation before the Supreme Court Mediation Centre. As per the report dated 15.04.2026 received from the Mediation Centre, mediation between the parties remained unsuccessful.

3. Having heard learned counsel for the parties, the

petitioner is the proprietor of M/s Deepak Motors and is carrying on business at Jabalpur, Madhya Pradesh. The petitioner has placed on record documents to indicate that his business is situated at Jabalpur and that the transactions were conducted in connection with such business.

4. It is not in dispute that the cheque which forms the subject matter of the complaint was drawn on Karnataka Bank, Jabalpur Branch. The petitioner is residing and carrying on business at Jabalpur and has asserted that the relevant records pertaining to the transactions as well as the witnesses are available at Jabalpur.

5. The respondent opposes the transfer petition and relies upon the averments made in the complaint that the cheque was presented through its bank account maintained at HDFC Bank, Radhakrishnan Salai, Mylapore, Chennai and, therefore, the Court at Chennai possesses jurisdiction under Section 142(2) of the Negotiable Instruments Act, 1881.

6. In our view, the power of transfer vested in this Court by virtue of Section 446 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is of a wider amplitude and is intended to secure the ends of justice whenever the circumstances of the case so demand.

7. On a consideration of the material placed before us, we find that the dispute has a substantial nexus with Jabalpur. The petitioner resides there; his proprietary concern is situated there; the cheque in question was drawn on a bank located there; and the banking records concerning the drawer's account are available there. The petitioner has also placed material to indicate that the commercial transactions giving rise to the present dispute were undertaken through his business established at Jabalpur.

8. Significantly, apart from the location of the respondent's corporate office and the presentation of the cheque through its Chennai bank account, no substantial part of the underlying transaction is shown to have taken place at Chennai. The record indicates that the transactions were principally connected with the petitioner's business transactions outside Chennai and that the drawer's bank as well as the petitioner's business records are located at Jabalpur.

9. Moreover, the petitioner is required to contest criminal proceedings nearly 1400 kilometers away from his place of residence and business. While distance by itself may not constitute a ground for transfer, it is a relevant consideration when viewed cumulatively with the

location of witnesses, documentary evidence and the overall nexus of the dispute with a particular place.

10. The principle of balance of convenience is another factor which persuade us to exercise the power of transfer. While the petitioner would be required to undertake repeated travel from Jabalpur to Chennai for the purpose of defending the complaint, the respondent, being a corporate body, can adequately prosecute the proceedings through its authorized officials and learned counsel at the transferee forum. The comparative inconvenience that would be caused to the petitioner by retaining the proceedings at Chennai is substantially greater than any inconvenience that may be occasioned to the respondent by transfer of the matter. Viewed thus, the balance of convenience clearly lies in favour of directing transfer of the complaint proceedings to Jabalpur.

11. The object of the power of transfer is not merely to determine convenience in a narrow sense, but to ensure that the administration of criminal justice is fair, practical and conducive to effective adjudication. Having regard to the cumulative effect of the circumstances noticed above, we are satisfied that the ends of justice would be better served if the complaint proceedings are

tried at Jabalpur.

12. Therefore, we deem it appropriate to allow these transfer petitions and accordingly, order that the subject cases be transferred from the Court of Metropolitan Magistrate (Fast Track Judge) Saidapet, Chennai, Tamil Nadu to the competent Court of First-Class Judicial Magistrate, Jabalpur, Madhya Pradesh.

13. It is on the discretion of the transferee Court to allow the presence of the representative of the respondent-company, virtually when necessarily required.

14. On intimation by email, the records of the cases be transferred to the transferee Court without any delay and immediate compliance be made.

15. The transfer petitions are, accordingly, allowed.

..... J.  
[J.K. MAHESHWARI]

..... J.  
[ATUL S. CHANDURKAR]

NEW DELHI;  
MAY 25, 2026.

ITEM NO.66

COURT NO.3

SECTION XVI-A

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(S)(CRIMINAL) NO(S). 943/2025

DEEPAK NAGPAL

PETITIONER(S)

VERSUS

M/S ANABOND LIMITED

RESPONDENT(S)

IA No. 246777/2025 - EX-PARTE STAY

WITH

T.P.(CrI.) No. 1160/2025 (XVI-A)

Mediation report received

IA No. 282780/2025 - STAY APPLICATION

Date : 25-05-2026 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.K. MAHESHWARI

HON'BLE MR. JUSTICE ATUL S. CHANDURKAR

For Petitioner(s) Mr. B S Rajesh Agrajit, Adv.  
Mr. Siddharth Goswami, Adv. (through VC)  
Mr. Narendra Kumar, Adv.  
Mr. Narednra Kumar, Adv.  
Mr. Akash Singh, Adv.  
Mrs. Smriti Singh, Adv.  
Mr. Satya Veer Singh, AOR

For Respondent(s) Ms. Usha Nandini V., AOR  
Mr. Biju P Raman, Adv.  
Mr. John Thomas Arakal, Adv.  
Ms. Nadana Harikrishnan, Adv.  
Ms. Nandana Harikrishnan, Adv.

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

1. The Transfer Petitions are allowed in terms of the signed order, which is placed on the file.
2. Pending application(s), if any, shall stand disposed of.

(NIRMALA NEGI)  
ASTT. REGISTRAR-cum-PS

(NAND KISHOR)  
ASSISTANT REGISTRAR