

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

CRM-M-24246-2015
Date of decision: 27.7.2015

Joginder Singh ...Petitioner

Versus

State of Haryana & another ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Raghuvinder Singh, Advocate for the petitioner.

Rajan Gupta, J.

In this petition, petitioner has impugned order dated 9.1.2015, passed by Judicial Magistrate 1st Class, Ambala, whereby complaint filed by the petitioner under sections 323, 406, 420, 427, 440, 447, 506 IPC has been dismissed as well as order dated 10.3.2015, passed by Addl. Sessions Judge, Ambala dismissing the revision against the said order.

Complainant (petitioner herein) had filed a complaint against respondent No.2 on the allegations that he had been duped by the accused. She agreed to sell a plot to complainant vide agreement to sell dated 2.4.2008 for a sale consideration of Rs.4.00 lacs. She received earnest money of Rs.3.00 lacs. As accused did not adhere to the agreement, he filed a suit for specific performance. During pendency thereof, accused started raising construction on the plot in question. He went and objected. However, accused turned furious and assaulted the

complainant. Complainant produced preliminary evidence in support of his contentions. However, trial court came to the conclusion that dispute was purely of civil nature and thus, dismissed the complaint. Complainant preferred revision petition before the court of Additional Sessions Judge, Ambala. He found no infirmity with the order passed as breach of contract would give rise to civil cause of action.

Learned counsel for the petitioner has not been able to point out any interference with the orders passed by the courts below. There is no ground to interfere in revisional jurisdiction.

Dismissed.

(RAJAN GUPTA)
JUDGE

27.7.2015
'Rajpal'