

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

1. Crl. Misc. No. M-24556 of 2014 (O&M)
Date of Decision: 22.9.2015.

Paras and othersPetitioners

Vs.

Santosh Chaudhary and anotherRespondents

2. Crl. Revision No. 6 of 2015 (O&M)

Paras and othersPetitioners

Vs.

Santosh Chaudhary and anotherRespondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. S.S.Salar, Advocate
for the petitioners.

Mr. I.S.Pabla, Advocate
for the respondents.

.....

SABINA, J.

Vide this order, above mentioned two petitions would be disposed of as the petitioners have sought quashing of the criminal complaint as well as the order whereby charges were ordered to be framed against them.

I have heard the learned counsel for the parties and have gone through the record available on the file carefully.

Case of the complainants, as per the complaint, in brief, is that the complainants were the daughters of accused Kanhaiya Lal. Accused Kanhaiya Lal had inherited the land from his ancestors.

Complainants had filed civil suit for declaration and permanent injunction against their father Kanhiya Lal. The land was acquired by the State and award was passed in favour of accused Kanhiya Lal. This Court had directed Kanhiya Lal to furnish security bonds in execution proceedings. Accused Kanhiya Lal had furnished the requisite bonds with regard to land measuring 59 *kanals* 15 *marlas* and 90 *kanals* 12 *marlas* situated in village Laha. Accused Kanhiya Lal had furnished the affidavit that he would not dispose of the said land till the decision of the appeal pending before this Court. However, accused Kanhiya Lal had executed a gift deed in favour of his sons. Hence, the complaint in question was filed.

In order to prove their case, complainants led their preliminary evidence. Accused were ordered to be summoned to face the trial. Petitioner Kanhiya Lal had executed a gift deed in favour of his sons i.e. petitioners No. 1 and 3, although, he had stated in his affidavit while furnishing surety bonds in execution proceedings that property in question would not be disposed of. In these circumstances, the learned Trial Court rightly ordered the framing of the charges against the petitioners vide the impugned order.

No ground to scuttle the criminal proceedings at the very threshold is made out. Petitioners would be at liberty to take up all the pleas available to them during trial.

Accordingly, both the petitions are dismissed.

(SABINA)
JUDGE

September 22, 2015
Gurpreet