

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

CRR No.3923 of 2012

Date of Decision: May 10, 2016

Vinod Sood

.... Petitioner

vs.

Naresh Kumar and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: None for the petitioner.

Mr. Mayank Aggarwal, Advocate for
Mr. M.S. Nain, Advocate for the respondents.

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?

2. To be referred to the Reporters or not?

3. Whether the judgment should be reported in the Digest?

Kuldip Singh J.(Oral)

The petitioner has filed this revision petition against the judgment dated 22.08.2012 passed by learned Addl. Sessions Judge, Panchkula, affirming the judgment of acquittal dated 18.11.2010 passed by learned Chief Judicial Magistrate, Panchkula, vide which the accused-respondents were acquitted of the charges framed against them under Sections 404, 420 and 120-B IPC.

The allegations as claimed by the complainant-petitioner Vinod Sood against the accused-respondents are that the complainant-petitioner had purchased Plot No.1588, Sector 32-A, Chandigarh in the name of his mother-Smt. Shanti Devi from accused Nos.1 Naresh Kumar Bagga and his deceased brother Ashok Kumar Bagga vide sale deed dated 14.09.1987 for ₹30,000/-. The possession of the plot was delivered on the spot to vendee by the vendors. The mutation in respect of the plot in question was not entered in the name of Smt. Shanti Devi, who expired on 20.12.1997.

It is claimed that taking the benefit of wrong entry, accused Nos.2 to 5 applied for transfer of the plot in question in their name. Accused Nos.1 to 5 also entered into an agreement to sell the plot to Sawagat Property Dealers, Sector 34, Chandigarh for ₹13,00,000/-.

I have considered the case of the petitioner and also heard the learned counsel for the respondents.

It comes out that the plot was already sold to Smt. Shanti Devi. If the plot is sought to be sold to the third party, it is the third party, who has been cheated not the complainant-petitioner Vinod Kumar. Both the courts below have held that the charges framed under Sections 404, 420 and 120-B IPC are not proved. There are concurrent findings of acquittal recorded by two courts below. Therefore, while exercising the revisional powers, this Court does not find any illegality or perversity in the findings recorded by two courts below.

Accordingly, the present revision petition stands dismissed.

May 10, 2016
sarita

(KULDIP SINGH)
JUDGE