

C.R.M-M No.9562 of 2015 (O&M)

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

C.R.M-M No.9562 of 2015 (O&M)

Date of Decision : 16.11.2016

Pardeep Kumar

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. V.K.Sheoran, Advocate
for the petitioner.

Mr. Amrik Narwal, DAG Haryana.

Mr. V.S.Punia, Advocate
for respondent No.2.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 482 Cr.P.C for quashing of criminal complaint No.396 of 2011 dated 15.06.2012 (Annexure P-1) under Sections 467/468/471/472 IPC alongwith all subsequent proceedings arising therefrom.

As per the allegation the petitioner had sold his land to the complainant in the year 1984 but for one reason or the other the mutation was not carried out. Taking advantage of that, the petitioner obtained the loan against that very property and that is when the complainant came to

know about it and filed the instant complaint. After the preliminary evidence the petitioner was summoned. He has challenged this summoning order.

In the first place learned counsel for respondent No.2 has pointed out that the petitioner did not disclose to this Court the fact that he had challenged the impugned order by way of filing a revision and has got order for notice of motion without disclosing this fact.

Learned counsel for the petitioner has stated that it was an inadvertent error.

I find this explanation to be too facile to be credible. Moreover learned counsel for respondent No.2 has also shown a copy of the sale deed, as per which the petitioner had transferred his rights in favour of the complainant. No fault can be found with the order of the Courts below.

Petition is dismissed.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

16.11.2016

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No