

CRM-M-24239 of 2017

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

CRM-M-24239 of 2017
Date of Decision: 12.07.2017

Khushi Ram

....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Anshuman Dalal, Advocate, for the petitioner.

RAMENDRA JAIN, J. (ORAL)

In the instant petition under Section 482 Cr.P.C., quashing of FIR No.352 dated 30.03.2016 (Annexure P-1) under Sections 406, 420 IPC registered at Police Station Civil Lines Rohtak, District Rohtak, has been sought.

Allegation against the petitioner is that after entering into an agreement to sell with the complainant qua land measuring 35 kanal 14 marlas for a consideration of ₹ 91,04,200/-, he did not execute the sale deed in favour of the complainant on the agreed date, despite receipt of entire sale consideration. Resultantly, the complainant filed a suit for specific performance against the petitioner. However, during the pendency of the aforesaid suit, petitioner further sold some part of the suit land measuring 4 kanal 13 marlas to some strangers, namely, Baljeet, Satbir and Vinod etc. and in this way committed cheating with the complainant. When the complainant tried to take possession of the suit land, petitioner threatened him with dire consequences, thus, he has threat to his life at the hands of the

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Learned counsel for the petitioner, drawing the attention of this Court towards agreement to sell dated 29.09.2014 (Annexure P-3), urged that the matter in dispute between the parties is of civil nature. The complainant has already filed a suit for specific performance and recovery. The petitioner has been roped in the instant criminal case just to pressurise him to make payment of undue amount.

Heard.

Final report under Section 173 Cr.P.C. has been filed by the police before the concerned Magistrate against the petitioner, which, *prima facie*, proves his involvement in the commission of crime alleged in the impugned FIR. Thus, no ground for quashing the aforesaid FIR is made out.

Dismissed.

July 12, 2017
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No