

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

(Sr.No.250)

CRM-M-25638-2015

Date of Decision:-May 16, 2017

Gurbachan Singh

.....Petitioner

V/S

Balwant Singh

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present : Mr. Vivek Thakur, Advocate,
for the petitioner.

A.B. Chaudhari, J. (Oral)

Heard learned counsel for the petitioner.

Both the Courts below have concurrently and rightly found that the dispute raised before the Court in the private complaint case was purely of civil nature.

Upon hearing learned counsel for the petitioner, I find the only grievance of the petitioner is that on the date appointed for execution of sale deed, the accused was unable to show the documents of ownership etc. His contention is that since after he received the earnest amount, the accused had developed the intention of not executing the sale deed and that is why he did not show the documents on the date of execution of sale deed. Even on these facts the dispute is purely of civil nature.

Learned counsel for the petitioner submits that he has not filed any civil suit either for specific performance of contract or in the alternate for refund of the earnest money. If that is so, it is unfortunate that the petitioner was not advised properly.

Dismissed.

May 16, 2017

pankaj

**(A.B. CHAUDHARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No