

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 120 of 2018

Amit Chhattani S/o Shri Lila Ram Sindhi Aged About 28
Years R/o Sindhi Camp, Tilda, P. S. Newra, Tehsil & District
Raipur Chhattisgarh, --- **Petitioner**

Versus

1. Smt. Kamin Bai W/o Late Hira Satnami Aged About 45
Years R/o Village Biladi, P. S. Newra, Tehsil And District
Raipur Chhattisgarh.
2. Meghnath Satnami S/o Late Hira Satnami Aged About 64
Years R/o Village Biladi, P. S. Newra, Tehsil And District
Raipur Chhattisgarh. --- **Respondents**

For the petitioner	:	Shri Shikhar Bakhtiyar,
Advocate.		
For the Respondents	:	Ms. Sarena Khan, Advocate

Hon'ble Shri Justice Goutam Bhaduri

ORAL ORDER

22-03-2018

Heard.

1. This petition is against the order dated 02.03.2017 passed by the learned JMFC Tilda, District- Raipur (C.G.) in Criminal Complaint Case No. 93/2017 whereby a direction was given to register the complaint against the petitioner and other accused Yudhnath @ Idnath and Umadas for the offence punishable under sections 420, 506 of IPC.
2. It is contended by the petitioner that in the complaint it was alleged that the sale consideration of Rs. 1,60,000/- each i.e. total Rs. 3,20,000/- was not paid to respondents No. 1 & 2 but the fact would show that the amounts were transferred to the account of Idnath, therefore, no offence has been committed.
3. A perusal of the documents prima facie would show that certain cheques were issued in the name of Idnath S/o

Hiradas and the said cheques were encashed by him. Thereafter the respondents herein namely Meghnath and Kamin Bai have filed complaint alleging that they are also joint owners of the land and they were forced to sign the documents and the part of their amounts as agreed were not paid to them thereby they were defrauded.

4. Considering such facts situation of the case, at this stage, this Court cannot go into the evidence and conduct the trial. The petitioners would be at liberty to raise his defence before the appropriate forum and may also challenge the impugned order before the said forum if so advised.
5. Accordingly, this petition has no merits and is dismissed.

**Sd/-
(GOUTAM BHADURI)
JUDGE**