

227 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1063-2019
Decided on : 31.05.2023

Ramakant Rohilla

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. V.D.Sharma, Advocate
for the petitioner.

Manjari Nehru Kaul, J.(Oral)

1. The petitioner is seeking quashing of order dated 09.06.2015 (Annexure P-2) passed by CJM, Gurgaon vide which a criminal complaint instituted by him under Sections 406, 420, 120-B, 506, 471, 468, 167, 168 IPC was dismissed and the revision filed against the aforesaid order too was dismissed by the Addl. Sessions Judge, Gurgaon.

2. Learned counsel for the petitioner-complainant submits that despite there being sufficient evidence on record to summon the private respondents-accused, the complaint in question had been dismissed by the Courts below. Learned counsel has vehemently contended that the private respondents had fraudulently obtained the signatures of the complainant on some blank papers, which had thereafter been misused by preparing forged documents.

3. Heard learned counsel and perused the relevant material available on record including the impugned orders.

4. As per allegations levelled in the complaint in question, the complainant was the owner of residential plot bearing No.565, Sector 27, Gurgaon. The complainant was on friendly terms with the private respondents. In the year 2007, respondent No.2 fraudulently obtained signatures of the complainant on some blank papers. Pursuant thereof, the private respondents forged certain documents to get the above-mentioned plot transferred in his name.

5. The entire case set up by the complainant stands demolished by the testimony of CW-2 Bharta Singh, who during his deposition stated that on 12.01.2009, the complainant had sold the plot in question to the respondent-accused for a total sale consideration of Rs.11,70,000/-. Still further, it is a matter of record that the accused-respondents had filed a civil suit for specific performance against the petitioner titled as Sudesh vs. Rama Kant. It is also a matter of record that the complainant had himself sought permission for transfer of plot in question from the authorities concerned, which was then granted vide memo No.144 dated 06.02.2009. The complainant, therefore, had prior in time, agreed to sell the plot to the respondents-accused and later seemingly changed his mind.

6. Even otherwise, it is not the case of the complainant that he is an illiterate person. Thus, it cannot be digested that a prudent man after signing blank papers would keep quiet for as long as two years as he had signed blank papers in the year 2007 whereas the criminal complaint was filed in 2009.

7. In the aforesaid facts and circumstances, this Court does not find any illegality much less perversity in the impugned orders passed by the Courts

below. Accordingly, the present petition being devoid of any merits, stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

31.05.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No