

S.B.Criminal Revision Petition No.1360/2007

Rupesh Jain
V.
State of Rajasthan

Date of Order :: 20th December, 2007

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. Sandeep Mehta, for the petitioner.
Mr. V.R.Mehta, Public Prosecutor.

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By order impugned dated 9.10.2007 the petitioner is charged for an offence punishable under Section 420 IPC. While assailing validity of the same the contention of counsel for the petitioner is that on basis of evidence available no case punishable under Section 420 IPC can be made out against the petitioner. It is asserted that the amount of consideration for sale of plot in question was received by Vinish Jain and not the petitioner and also that the registry of the plot in question does not bear either signature or thumb impression of the petitioner. Whatever amount received by the petitioner that was at the behest of Vinish Jain and, therefore, the present petitioner cannot be held liable to face trial for an offence under Section 420 IPC.

I have perused the order impugned and also the other relevant record submitted by counsel for the petitioner.

From perusal of the complaint as well as the statements given by Shri Sardarmal son of Roopram I am satisfied that adequate evidence to form a prima facie opinion to draw presumption for proceeding with trial against the petitioner by framing a charge under Section 420 IPC is available. No interference with the order impugned, therefore, is warranted.

Accordingly, the revision petition is dismissed.

(GOVIND MATHUR),J.

Kkm/ps.