

Perused the records.

It is pleaded that the accused No.2 was introduced accused No.1 and they have told that the accused No.1 is the owner of land bearing Sy.No.72/1, measuring 1

acre 6 guntas, Sy.No.72/2, measuring 1 acre 6 guntas, Sy.No.72/3 measuring 1 acre 6 guntas, Sy.No.72/4 measuring 1 acre 6 guntas, Sy.No.118/2 measuring 1 acre 6 guntas, Sy.No.98 measuring 4 acre 2 guntas, situated at Nerale Village, Doddakavalande Hobli, Nanjanagud Taluk, Mysore District and Sy.No.175/1A measuring 2 acre 13 guntas and Sy.No.175/1B measuring 1 acre 10 guntas situated at Basavattige Village, Doddakavalande Hobli, Nanjanagud Taluk, Mysore District and offered for sale of the said properties. After negotiations the complainant agreed to purchase the said lands for total consideration of Rs.25,86,250/- in this regard an agreement of sale executed between the complainant and his wife Smt.Dhanalakshmi with accused No.2 on 26.10.2018 and another agreement of sale executed between the complainant and accused No.1 on 16.01.2020. The complainant paid the entire consideration amount by way of cheque. The accused promised to execute the registered sale deed but without the knowledge and consent of the complainant and his wife the accused sold the said lands to some other persons. Therefore, the accused have committed criminal breach of trust and cheated the complainant. In the photo copy of agreement of sale it is mentioned that the complainant paid consideration amount through cheque bearing

No.06705 dated 16.01.2020 for a sum of Rs.6,50,000/- and another agreement of sale it is mentioned that the complainant paid Rs.50,000/- through cheque bearing No.023075 dated 27.10.2018 and both cheques drawn on Chartered Sahakari Bank Niyamitha, Koramangala Branch, Bengaluru. The complainant has also produced the photo copies of RTC, Sale deed, copies of complaint submitted before the PI of HSR Layout PS and Commissioner of Police. In the affidavit it is stated that the contents of complaint are true and correct. The allegations made in the complaint and other records prima facie discloses that an enquiry is necessary from the competent IO. Hence, I proceed to pass the following;

ORDER

Acting under Section 156(3) of Cr.P.C the matter is referred for investigation to PSI of HSR Layout Police Station.

Issue directions accordingly.

Await final report by 22.09.2023.

(Dictated to the stenographer directly on computer, typed by him, corrected and then signed and pronounced by me in the open court on this the 24th day of March, 2023).

(Parashuram F. Doddamani)
III Additional Chief Metropolitan Magistrate,
Bengaluru.