

26.03.2026

ORDER

The complainant filed private complaint under Section 200 of Cr PC for the offences punishable under Sections 403, 409, 420, 421, 427 and 120B of IPC on 13.05.2024. Matter set down for sworn statement. complainant was examined as CW1. Documents were marked as Ex.C1 to Ex.C6.

A reading of the sworn statement it is found that accused No.1 and 2 were running a firm under the name and style of Sri Seniors Home, accused persons were proclaimed that they are selling the house and flat No.254 in Rangana Kuppalu, Kere Thannur, Pandavapura, Manyda at a concession rate to the senior citizens, they have published the bruchers in this regard, he met the accused persons with an intention to purchase a cluster cottage in the year 2016, complainant and daughter of the complainant have purchased a CCC-3 cottage through a registered deed, accused persons promised to construct the club house in the 12500 sq. feet area in the broucher, the accused persons described that the club house will be built in the 15000 sq. feet area according to the approved plan, the accused persons have not constructed the swimming pool and provided the essential facilities as agreed in the brouchers and sketch, the accused persons were collecting maintenance charge of Rs.5,000/- every month from them, the accused persons have not paid the GST pertaining to it, in addition the accused persons have

borrowed one time maintenance corpse from Rs. 50,000/- to 1,50,000/- they have not remitted the amount to the owners association account, the accused persons have collected STP since 2016. Later, accused persons made payment by obtained approval from the STP in the 2021, the accused persons have committed the criminal breach of trust and cheating. Contents of the sworn statement is substantiated by producing the sale deed, broucher copy, approved sketch copy. Thereby, there are sufficient grounds to take cognizance of the offences punishable under Section 406 r/w. 120B of IPC. In view of the above, I pass the following:

ORDER

Cognizance is taken for the offence punishable under Sections 406 r/w. 120B of IPC.

Office is directed to Register CC in the Register No.III maintained for criminal cases as against Accused No.1 and 2 for the offence punishable under Sections 406 r/w. 120B of IPC.

Issue summons to the accused No.1 and 2, if PF paid.

Returnable by :

IV ACJM, BENGALURU.