

IN THE COURT OF METROPOLITAN MAGISTRATE,
17TH COURT, BORIVALI, MUMBAI

C.C.No.400/SW/2017

Vinayak Raghunath Patkar.

...Complainant.

V/s.

Devendra Ramchandra Palsamkar.

...Accused.

ORDER BELOW EXH.1

(Passed on 28.12.2017)

1. Complainant present with Ld. Adv. Mr.R.C.Kaushik. Perused all the documents filed on record. Heard Ld. Adv. for complainant at length. On going through the documents on record it appears that accused issued a publication by mentioning number of property which in fact is owned by complainant. Diligently complainant raised an objection to the publication. However, it appears that a forged conveyance deed was executed. Complainant sought information under The Right To Information Act where from he came to know that the conveyance deed which accused used is in fact in the name of someone else (Karlo Finance And Investment Private Limited). Thus, apparently the forgery is there on record. Rather, it appears complainant raised an objection in City Survey office at earliest possible opportunity and due to that the proposed measurement was cancelled. Thus, prima-facie forgery for the purpose of cheating is made out by complainant.

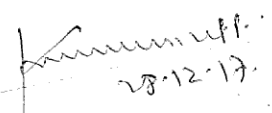
..2/-

2. Complainant not left any stone unturned as he filed a complaint in the concerned police station on 20.08.2014 and 26.09.2014. But no action was taken. The cognizable offences are made out. In that event it will be justified to refer the complaint for investigation u/sec.156(3) of Cr.P.C. Hence, order-

ORDER

1. Refer the complaint to the concerned police station u/sec.156(3) of Criminal Procedure Code for necessary investigation.
2. Office to issue Memo accordingly.
3. Complaint stands disposed off.

Mumbai,
Dated : 28.12.2017.


(Prasad P.Kulkarni.)
Metropolitan Magistrate,
17th Court, Borivali, Mumbai.