

MHMM190018962021



IN THE COURT OF METROPOLITAN MAGISTRATE
66TH COURT ANDHERI, MUMBAI

C.C. NO.73/SW/2021

Pandurang Soma Ambre		...Complainant
	v/s.	
Mr. Samit Pandurang Ambre		...Accused

ORDER BELOW EXH.1

1. Perused complaint and documents filed alongwith it. Heard Ld. Advocate Shri Pradeep Shetty for the complainant at length. Present complaint is filed for the offences punishable under sections 420, 406 of Indian Penal Code against accused. In short, the case of complainant is that accused is his son. Accused got executed Gift Deed in his favour of property bearing Flat No. 201 situated at Dunhill Shelter CHS., Ceasar Road, Opp. Filmalaya Studio, Amboli, Andheri (W)), Mumbai – 58. Said property belongs to complainant. Instead of executing leave and licence agreement accused excuted Gift Deed. Thus, he cheated complainant. Complainant is residing with his another son.

2. Perusal of documents available on record shows that Gift Deed is executed in the office of Joint Sub-Registrar, Andheri. It is executed before Competent Officer. Complainant is a signatory to the said Gift Deed. Prima facie, dispute between parties appears to be of civil nature. I find no any cognizable offence in the complaint. Therefore, I find no sufficient ground to proceed against proposed accused. Hence, I find no any force and substance in the argument advanced on behalf of complainant. Hence, the order:

ORDER

1. Complaint stands dismissed as per section 203 of Cr.PC.
2. Proceeding be closed.

Sd/-

Date : 31/07/2021

(Bhagawat T. Zirape)
Metropolitan Magistrate
66th Court, Andheri, Mumbai