

Rajinder Parsad Sharma vs State of H.P. & others

Cr. MMO No. 692 of 2026

Reserved on 23.07.2026

30.07.2026. Present: Mr R.K. Gautam, Senior Advocate with Mr Sahil Dixit, Advocate, for the petitioner.
Mr Jitender K. Sharma, Additional Advocate General, for respondent No.1/State.

Cr. MMO No. 692 of 2026

The status report filed by the State mentions that the petitioner/accused had promised to pay an amount of ₹ 15,00,000/- to the informant at an interest of 10% per annum. A mortgage deed was to be executed to secure the loan; however, a sale deed was got registered in favour of the petitioner. The value of the property was ₹30,00,000/-. One cheque of ₹6,00,000/- and one cheque of ₹9,00,000/- were handed over to the informant. However, a cheque of ₹3,00,000/- was obtained from the informant as an advance of the interest.

2. Prima facie, the inadequate sale consideration does not invalidate the sale as per Section 25 of the Indian Contract Act. The sale deed was registered before the Sub-Registrar and contains an endorsement that it was read over and explained to the executant, which is presumed to be true¹. In the absence of any

¹ Kripa Ram vs. Smt. Maina 2002(2) Shim. L.C. 213

evidence that the Sub-Registrar had connived with the petitioner, the prosecution version that the sale deed was executed on the pretext of executing a mortgage deed is highly doubtful.

3. Issue notice to respondent No.2, returnable within a period of four weeks, on taking steps within a period of one week.

Cr. MP No. 2731 of 2026

4. Notice in the aforesaid terms.

5. In the meantime, proceedings pending before the Court of the learned Additional Chief Judicial Magistrate, Kangra, H.P. in Charge Sheet [Filing No. 4723/2023/Reg. No. 36 of 2024] shall remain stayed till the next date of hearing.

(Rakesh Kainthla)
Judge

30th July, 2026.
(Ravinder)