

**HIGH COURT OF JUDICATURE FOR RAJASTHAN BENCH AT
JAIPUR**

S.B. Criminal Miscellaneous (Petition) No. 6702 / 2017

M/s L & T Construction Company Ltd LE 140839, Petro Plot No.DTA-003-002, Khasra No.6-7, And 954, Village Bagru, Tehsil Amer, Jaipur, Ajmer Road, National Highway No.8, Jaipur 301001, Through Project Manager, V Syam Prasad S/o Nagadurga Prakash, Aged About 37 Years, R/o 26-23-19, Sundarma Street, Gandhi Nagar, Vijaywada, District Krishna, Andhra Pradesh.

-----Petitioner

Versus

1. State of Rajasthan Through PP., Jaipur Metropolitan.
2. Madan Mohan Mittal S/o Lt. Damodar Lal, Aged About 42 Years, R/o M/s M.M. Mittal Contractors Pvt. Ltd. 424, Vidyut Nagar-A, Ajmer Road, Jaipur, Vaishali Nagar, Jaipur West, Raj.

-----Respondents

For Petitioner(s) : Mr. Subhash Gulati

For Respondent(s) : Mr. Prakash Thakuriya, PP for State

HON'BLE MR. JUSTICE KANWALJIT SINGH AHLUWALIA

Order

19/12/2017

Learned counsel for the petitioner contends that the complainant was a sub contractor of the petitioner company. Learned counsel contends that there was ongoing business transaction and eleven bills were cleared by the petitioner company qua the job executed by respondent No.2. Learned counsel submits that the complainant made a grievance that the last bill being 12th bill was not paid by the petitioner company. Learned counsel contends that any breach of agreement and continuous business transactions will not constitute offence of

cheating and other offences as the dispute essentially is civil in nature.

Issue notice to respondents for 05.01.2018. Process dasti also.

(KANWALJIT SINGH AHLUWALIA)J.

Govind/

RAJASTHAN HIGH COURT



सत्यमेव जयते