

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			WPCRL No.955 of 2026 <u>Hon'ble Alok Mahra, J.</u> Mr. Shashi Kant Shandilya, Advocate for the petitioners. Mr. S.C. Dumka, A.G.A. for the State of Uttarakhand. 2. Heard learned counsel for the parties. 3. As per the case set up by the petitioners, respondent no.3 executed a registered sale deed in favour of petitioner no.3 on 31.08.2022 in respect of the property in question. Pursuant thereto, a sum of ₹10,00,000/- was transferred by petitioner no.3 to the bank account of respondent no.3 through RTGS as sale consideration. It is further submitted that, subsequently, certain discrepancies relating to the area and boundaries of the property came to light, whereupon a correction deed (Titamma) was executed and duly registered on 05.08.2024. 4. Learned counsel for the petitioners submits that, despite the aforesaid registered transactions, respondent no.3 lodged the impugned F.I.R. alleging therein that, being an elderly person aged about 80 years, he intended to create a trust in respect of his property. It is alleged that petitioner no.1, who was acquainted with respondent no.3, being his neighbour and a frequent visitor to the Ashram attended by him, induced respondent no.3 by representing that he would assist in the preparation and registration of documents relating to the proposed trust. However, instead of facilitating registration of a trust deed, petitioner no.1 allegedly procured the execution and registration of a sale deed in favour of petitioner no.3, who is stated to be his son-in-law, by practising fraud and

			misrepresentation. Learned counsel for the petitioners further submits that respondent no.3 had already instituted a Civil Suit on 09.07.2024 seeking cancellation of the aforesaid sale deed, and the said suit is still pending adjudication before the competent Civil Court. It is contended that the dispute between the parties is essentially civil in nature, arising out of a registered conveyance deed and the validity thereof, which is already the subject matter of the pending civil proceedings. It is further submitted that the material fact regarding the institution and pendency of the civil suit was not disclosed in the impugned F.I.R., and the criminal proceedings have been initiated subsequently with an oblique motive to exert pressure upon the petitioners and to give a criminal colour to a predominantly civil dispute. 5. Admit. 6. Issue notice to respondent no.3 returnable at an early date, by registered post, acknowledgment due. 7. List after service report is received. By that time, counter affidavit(s) may be filed. 8. Considering the submissions advanced by learned counsel for the petitioners, it is directed that, till the next date of listing, no coercive action shall be taken against the petitioners in connection with F.I.R. No.0246 of 2026, under Section 318(4), 336(3), 338, 351(2) and 352 of B.N.S., registered at Police Station Kotwali, Haridwar, District Haridwar, provided they cooperate in the investigation. 9. Stay application (I.A. No.1 of 2026) stands disposed of. (Alok Mahra, J.) 04.06.2026 Arpan
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