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Sale of asset by complainant after filing false ipc 406 fir

3 months ago

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Report



R. K. Shah

Business

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Dear Esteemed Members, a police complaint was filed involving section 498A, 406 etc. one of the item of IPC406 for example a car - was with the complainant itself however false complaint was filed. After some time that car was sold by complainat probably to evade the fact that she herself was having the car. Police has filed chargesheet which is just copy of complaint. The accused has the evidences that car was sold by complainant. what criminal actions can be taken against complainant? Thanks

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IPC Sections seem same. What is the difference?

🕒 3 months ago



● Adv Deepak
Joshi
+917017821512

Advocate

👍 Likes: 296

Points: 7107

facts not sufficient to advice, better approach advocate with complete material facts.

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for defamation case ws of a pending case is a published document or not

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by - Bimal Jain

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G.L.N.
Prasad ▾

Retired
employee.

👍 Likes: 547

Points:

12043

A movable property in which value decreases due to passage of time, in the name of the owner can be disposed when there are no restrictions by the court on such sale. The defendants/respondents can only mention such sale, and in case of disputes, the court considers and decides about adequate compensation in lieu of that disposed asset.

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🕒 3 months ago



Dr J C
Vashista ▾

Lawyer

👍 Likes: 977

Points:

61882

What is the opinion and advise of the lawyer engaged and paid fees by accused who is well aware about facts and circumstances of the case and an able, competent and intelligent enough to clarify your doubts, if it is not an academic exercise?

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3 months ago



R. K. Shah

Business

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Originally posted by : G.L.N. Prasad

A movable property in which value decreases due to passage of time, in the name of the owner can be disposed when there are no restrictions by the court on such sale. The defendants/respondents can only mention such sale, and in case of disputes, the court considers and decides about adequate compensation in lieu of that disposed asset.

the car as alleged was with the accused and criminal charge was levied ((though actually it was with complainant herself)). will it count as tempering with the evidence

Reply

3 months ago



R. K. Shah

Business

Likes: 4

Points: 263

Originally posted by : Dr J C Vashista

What is the opinion and advise of the lawyer engaged and paid fees by accused who is well aware about facts and circumstances of the case and an able, competent and intelligent enough to clarify your doubts, if it is not an academic exercise?

dear sir the engaged counsel has his own style and suggests to wait .. since the car was with complainant herself is it not liable under section 182 and 211 .. ? Further the complainant sold the car ... for malafide prosecution of accused and also to evade her own prosecution for false complaint .. will it also count as tempering or destruction of evidence

thanks

Total likes : 1 times

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🕒 2 months ago



● P. Venu ▾

Advocate

👍 Likes: 548

Points:

42207

In a criminal case, it is for the prosecution to prove its case beyond reasonable doubt. Given the charges involved, the State would be prosecuting the case. As such, the the original complainant would be a witness. Your advocate can cross-examine and try to bring out the truth. But your priority ought to be meeting the charges on merit and acquittal on merits.

If the complaint had been malicious, you have the option of seeking remedies thereafter.

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