

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM M-13369 of 2012

Date of decision : 05.08.2015

Abhimanyu

....Petitioner

V/s

State of Haryana & anr.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Rakesh Nehra, Advocate for the petitioner.

Mr. Rajesh Gaur, Addl. A.G. Haryana.

Mr. Deepak Thapar, Advocate for respondent no. 2.

RAJAN GUPTA J.

Petitioner seeks quashing of FIR No. 130 dated 23.03.2011 registered under sections 420, 406 IPC at police station Sampla, District Rohtak and all the subsequent proceedings arising therefrom.

It appears that petitioner took a loan from respondent no. 2-Bank for purchasing a moulding machine for starting a business. He was advanced a loan of ₹4,60,000/-. Thereafter he submitted the bill of purchase of machinery to the bank. As he defaulted in payment, bank lodged the FIR and instant case was registered. Investigation ensued and challan was filed on 12.09.2011. Some prosecution witnesses have also been examined. Petitioner, thereafter, preferred the instant petition seeking quashing of FIR raising number of grounds. Today it has been submitted before the court that petitioner has repaid the entire loan

amount. No objection certificate issued by the bank has been placed on record as mark 'A'.

Mr. Thapar, learned counsel appearing for the State Bank of Patiala does not dispute the fact that entire loan has been repaid.

Petitioner is a small entrepreneur. He had to face criminal proceedings due to his inability to repay the loan in time. As he has discharged the liability, I am of the considered view that no useful purpose would be served by continuance of proceedings any further. Resultantly, present FIR and consequent proceedings arising therefrom deserve to be quashed. Ordered accordingly.

Petition is allowed in these terms.

August 05, 2015

Ajay

(RAJAN GUPTA)
JUDGE