

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

CRM-M-43959-2018 (O&M)

Date of decision : 13.11.2019

Davinder Singh and another

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Parminder Singh, Advocate for the petitioners.

Mr. Vikas Chopra, Deputy Advocate General, Haryana.

Mr. Gaurav Khera, Advocate for respondent No.2.

ANIL KSHETARPAL, J. (ORAL)

Petition under Section 482 Cr.P.C. has been filed seeking quashing of FIR No.310 dated 27.07.2017 registered under Sections 420, 467, 468, 471, 120-B of the Indian Penal Code at Police Station Indri, District Karnal.

Undisputed facts are that the petitioners had taken an agricultural loan and mortgaged their land measuring 26 kanals 12 marlas for securing the repayment of loan amount.

Learned counsel for the petitioners submits that there was some error in the revenue record, due to which there is a misunderstanding and on account thereof, FIR was registered. He submits that the entire loan amount stands repaid on the day the FIR was registered.

Learned counsel appearing on behalf of the Bank admits those facts and submits that he has no objection to quashing of FIR. However, learned counsel for the State submits that the present FIR has been registered by the Naib Tehsildar/Sub-Registrar.

Keeping in view the facts of the case, repayment of entire loan amount may be a mitigating circumstance, however, cannot be ground for quashing of FIR. Hence, the petitioners are relegated to the remedy before the trial Court.

In view of the above, the present petition is disposed of.

13.11.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No