

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 28278-2019
Reserved on 19.04. 2022
Pronounced on: July 14, 2022

Mandeep Singh Chawla and anotherPetitioners

Vs.

Union Territory, Chandigarh and anotherRespondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Anurag Chopra, Advocate and
Mr. Dhruv Sood, Advocate for the petitioners.

Mr. Rajeev Anand, APP, UT, Chandigarh

Mr. Gourav Goel, Advocate for respondent No.2.

ANOOP CHITKARA J.

FIR No.	Dated	Police Station	Sections
64	22.03.2019	East, Sector 26, Chandigarh	420, 120-B IPC

Aggrieved by the respondent - bank to accede to compromise of compoundable offences despite receiving the entire amount according to the settlement, the accused have come up before this Court under Section 482 CrPC for its quashing and of all consequential proceedings.

The allegations in the complaint relevant to deciding this petition are that the petitioners defaulted in payment of the loan, which led to the registration of the FIR mentioned above. In the interregnum, the parties settled the loan accounts, and vide letter dated 30-03-2019, an acknowledgment to the said effect, was sent by the bank through its AGM to the petitioner’s firm. However, the bank stated that the criminal complaint filed by the bank shall continue. Feeling aggrieved, the petitioners invoke the extraordinary jurisdiction of this court.

Despite notice and its service, the respondent neither filed any reply nor asked for time to file the same.

The offence under section 420 IPC is compoundable, and the offence under section 120-

B of IPC, when added with a compoundable offence, also becomes compoundable. A perusal of the communication as mentioned above, dated 30-03-2019, Annexure P-2 does not mention any reason because of which the criminal matter was not compromised despite receiving the money in terms of the settlement.

Given above, in the facts and circumstances peculiar to this case, the continuation of criminal proceedings will amount to misuse of the process of law and have to be disrupted at this stage itself. Resultantly, the Court invokes the inherent jurisdiction under section 482 CrPC and quashes the FIR and all consequent proceedings. The bail bonds of the petitioners are accordingly discharged.

Petition allowed. All pending application(s), if any, stand closed.

(ANOOP CHITKARA)
JUDGE

July 14, 2022
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Whether speaking/reasoned: Yes
Whether reportable: **No.**