

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

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**CRM-M-37010-2009 (O&M)
Date of decision: 21.08.2023**

Bir Parkash Malhotra and others

....Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Atul Lakhanpal, Sr. Advocate with
Mr. Sidharth Chawal, Advocate for the petitioners.

Mr. G.S. Sandhu, DAG Punjab.

RAJBIR SEHRAWAT. J. (Oral)

1. The present petition has been filed by the petitioners under Section 482 of the Code of Criminal Procedure for quashing of FIR No.175 dated 25.06.2009, registered under Sections 406 and 420 of the Indian Penal Code, 1860 (for short 'IPC') at Police Station Rajpura, District Patiala.

2. It is submitted by learned counsel for the petitioners that the dispute relates to non-payment of loan obtained by the petitioners as cash-credit facility provided by respondent No.2-Bank. Although, in the first instance, the cancellation report was filed by the Police themselves, however, later on, upon intervention of vested interest, the police had filed a challan against the petitioners, though, there was no such basis for the same.

3. Learned counsel has further submitted that during the pendency of the present petition, the matter had gone to the securitization authority and in the process, the entire matter stands settled between the petitioners and respondent No.2-bank. The entire loan amount has already been cleared by the petitioners.

Therefore, the loan account of the petitioners has been shown as no balance

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account by the respondent No.2-Bank. In this regard, learned counsel for the petitioners has produced relevant documents before this Court. The same are taken on record.

4. In view of the above, this Court does not find it appropriate to permit the continuance of the present proceedings. Hence, the petition is allowed and the FIR No.175 dated 25.06.2009, registered under Sections 406 and 420 of the IPC at Police Station Rajpura, District Patiala and proceedings consequent thereon, are hereby ordered to be quashed.

(RAJBIR SEHRAWAT)
JUDGE

21.08.2023
S.Sharma(syr)

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No