

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203(9) CRM-M-48523-2019 (O&M)
Date of Decision.:23.08.2023

Harshad Ganesh Kachhara & Anr. Petitioners
Vs. Respondent
India Infoline Housing Finance Limited

CORAM: HON’BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. J.S. Mehndiratta, Advocate
for the petitioner.

Mr. Vineet Sehgal, Advocate
for the respondent.

DEEPAK GUPTA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of criminal complaint No.NACT/13567/2017 dated 28.09.2017 titled as ‘India Infoline Housing Finance Ltd. v. Yamuna Realty Pvt. Ltd. & Ors.’ pending before the Court of learned Judicial Magistrate First Class, Gurugram and all subsequent proceedings arising therefrom.

The main contention of the petitioner is that he was not served any prior notice prior to filing the complaint in question.

Today learned counsel for the respondent has very fairly conceded the fact that no prior notice as required under Section 25 of the Payment and Settlement System Act, 2007 had been served upon the petitioner before filing the complaint and as such, he has no objection if the petition qua the petitioner is accepted.

In view of the aforesaid statement made by learned counsel for

the respondent, the present petition is hereby accepted.

As such, criminal complaint bearing No. NACT/13567/2017 dated 28.09.2017 titled as ‘India Infoline Housing Finance Ltd. Vs. Yamuna Realty Pvt. Ltd. & Others’ pending before the Court of learned Judicial Magistrate First Class, Gurugram along with all the consequential proceedings arising therefrom are hereby quashed qua the petitioners.

Pending application(s), if any, also stands disposed of.

August 23, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No