2024:PHHC:005957

[261] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5117-2019
Date of Decision : 15.01.2024

Ankur Tyagi …Petitioner

versus

The State of Haryana and another ….Respondents

Coram : **HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present : Mr. Sushil Bhardwaj, Advocate for the petitioner.
Mr. Randhir Singh, Addl. AG, Haryana.
Mr. Parveen Kumar Rohilla, Advocate for respondent No.2.
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**DEEPAK GUPTA, J. (ORAL)**

[1] By way of this petition, filed under Section 482 Cr.P.C., petitioner prayed for quashing F.I.R. No.600 dated 16.07.2018, registered under Sections 120-B, 406, 420, 467, 468 and 471 IPC at Police Station Civil Line Karnal, District Karnal, and all subsequent proceedings arising therefrom on the basis of letter/certificate (Annexure P-2) issued by respondent No.2-Bank of Baroda, as petitioner has cleared the entire loan amount of the bank.

[2] Facts of the prosecution case, in brief, are that on 05.02.2018, the accused Ankur Tyagi had obtained a vehicle loan of Rs.8,80,000/- against the guarantee of his father Yoginder Tyagi as a result of which vehicle No.HR-05AX-5905 was hypothecated. The accused paid only two installments of the said loan and thereafter he allegedly prepared false and forged documents and got the fresh registration certificate issued from the office of SDM by getting the entry of charge/hypothecation deleted. It has, therefore, been submitted that the accused had caused loss to the tune of Rs.8,90,442/-.

[3] Learned counsel for the petitioner has placed on record certified copy of the statement dated 14.08.2018 made by Shri Ritesh Kumar Verma, Branch Manager, Bank of Baroda, Maharana Partap Chowk, Sector 14, Karnal i.e. the complainant, as per which, the accused (petitioner) had deposited the entire loan amount with interest with Bank and nothing was due against him and regarding that Bank had already issued a Clearance Certificate.

[4] Learned counsel for respondent No.2-Bank has conceded to the aforesaid fact. He has also conceded about the genuineness of the certificate (Annexure P-2).

[5] Considering the fact that the entire amount of loan has already been secured by the petitioner, therefore, in order to give quietus to the matter, it will be in the interest of justice to quash the FIR in question, particularly when the complainant-Bank has no objection and has already issued certificate (Annexure P-2) and Branch Manager has already made a statement before the learned trial Court.

[6] Consequently, this petition is allowed, and F.I.R. No.600 dated 16.07.2018, registered under Sections 120-B, 406, 420, 467, 468 and 471 IPC at Police Station Civil Line Karnal, District Karnal, and all subsequent proceedings arising therefrom on the basis of letter/certificate (Annexure P-2) qua petitioner, are hereby quashed.

**(DEEPAK GUPTA)**
**JUDGE**

15.01.2024
*'Rajneesh'*

*Whether speaking/ reasoned : Yes/No*
*Whether reportable : Yes/No*