



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

CRM-M-33760-2023
Date of decision: 27.09.2024

Weltech India Pvt. Ltd. and others ...petitioners

Versus

State of Haryana and others ...Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Shayuk Kumar, Advocate for the petitioners.

Mr. Karan Garg, AAG, Haryana.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by petitioners seeking quashing of FIR No. 43 dated 06.01.2022 (Annexure P-1), under Section 174-A IPC, Police Station Shivaji Nagar, District Gurugram.

2. The counsel for the petitioners submits that complainant/respondent No.2 filed criminal complaint titled Moneywise Financial Services Private Limited Vs. Weltech India Private Limited, under Section 25 of the Payment and Settlement Systems Act, 2007 (in short' the Act'), wherein the petitioner was declared proclaimed person and consequently, impugned FIR Annexure P-1 was registered against the petitioner. That after the registration of FIR Annexure P-1, the petitioners effected compromise with complainant/respondent No.2 and on the basis of the said compromise, the aforesaid criminal complaint was dismissed as withdrawn by the Court concerned vide order dated 17.08.2022 (Annexure P-9). The counsel for the petitioners further submits that in view of the order



(Annexure P-9), the impugned FIR (Annexure P-1) is not sustainable and deserve to be set aside.

3. Notice of motion.

4. Mr. Karan Garg, AAG, Haryana, accepts notice on behalf of the State and submits that the instant petition be disposed of in the light of compromise effected between petitioners and respondent No.2.

5. Admittedly, impugned FIR (Annexure P-1) is off shoot of the aforesaid criminal complaint filed by respondent No.2 against the petitioners under Section 25 of the Act. It appears that now matter has been compromised and respondent No.2 has withdrawn aforesaid criminal complaint against the petitioners vide order dated 17.08.2022 (Annexure P-9). It being so, the impugned FIR (Annexure P-1) registered under Section 174-A IPC is not sustainable in the eyes of law and even otherwise continuation of Annexure P-1 will amount to abuse of the process of Court and that of law.

6. In light of the above, the present petition is hereby allowed and impugned FIR No.43 dated 06.01.2022 (Annexure P-1), under Section 174-A IPC, registered at Police Station Shivaji Nagar, District Gurugram and all the consequential proceedings therefrom are hereby quashed qua the petitioners.

27.09.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No