



**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-50867-2021 (O&M)

Date of Decision:-14.8.2024

Naresh Kumar

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sidhant Vermani, Advocate for the petitioner.

Mr. Kuljinder Singh Dhindsa, AAG, Punjab.

Mr. R.V. Mehra, Advocate for respondent No.3.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks quashing of FIR No.6, dated 12.1.2021 registered at Police Station Majitha Road, District Amritsar, under Sections 420, 457, 380, 427, 489 of Indian Penal Code and all subsequent proceedings emanating therefrom on the basis of a compromise stated to have been effected between the parties.
2. The FIR in question was lodged by respondent No.2 – Alok Seth being authorized representative of the complainant/bank i.e. Indian Overseas Bank. The allegations levelled in the FIR are that the petitioner had trespassed into the property, the possession of which had been taken over by the complainant bank.
3. Vide order dated 6.12.2021, the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get their statements recorded qua the factum of compromise.



4. Report of learned Judicial Magistrate 1st Class, Amritsar has been received, wherein it has been reported that statement of petitioner/accused Naresh Kumar and also of Akhileshwar Parsad, Branch Manager, Indian Overseas Bank, Branch Halla Bazar, Amritsar have been recorded to the effect that they have compromised the matter amongst themselves.
5. While the FIR in question had initially been lodged by respondent No.2 – Alok Seth, the then Bank Manager, the statement on behalf of the bank has now been made by Akhileshwar Parsad, Branch Manager, Indian Overseas Bank, Branch Halla Bazar, Amritsar as regards the factum of compromise, whose statement is reproduced hereinunder:

“The above mentioned FIR has been lodged on the statement of Sh. Alok Seth, the then Authorised Officer of Indian Overseas Bank against accused Naresh Kumar. Sh. Alok Seth has been transferred from Amritsar to Ahmdabad. Naresh Kumar accused has already paid the loan under OTS scheme of the bank and the bank has already issued NOC in the account as the loan account has been closed. Now the bank has entered into compromise voluntarily with the accused out of my own free will and volition and without any kind of undue influence or pressure. The present FIR has been lodged against the accused Naresh Kumar only. The bank has no objection if the present FIR registered against accused Naresh Kumar is quashed.”

6. Mr. R.V. Mehra, Advocate is present in the Court and is representing the respondent/bank and has endorsed the factum of compromise and has stated that he has no objection for quashing of the FIR.
7. In view of the report of learned Judicial Magistrate 1st Class, Amritsar and also the statement made by learned counsel representing the bank, this Court is satisfied that the matter has been amicably resolved amongst the parties.



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Consequently, the instant petition is allowed and FIR No.6, dated 12.1.2021 registered at Police Station Majitha Road, District Amritsar, under Sections 420, 457, 380, 427, 489 of Indian Penal Code and all subsequent proceedings emanating therefrom are hereby quashed qua petitioner.

14.8.2024

Pankaj

(Gurvinder Singh Gill)
Judge

Whether reasoned/speaking	Yes / No
Whether reportable	Yes / No