



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

CRM-M-6668-2025 (O&M)
Date of decision: 01.04.2025

Avinash Singh and Another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Punit Bali, Sr. Advocate (Through VC) with
Mr. Rajat Chopra, Advocate for the petitioners.

Mr. J.S. Dhaliwal, AAG, Punjab.

Mr. Gauravjit Singh Patwalia, Advocate and
Ms. Lagan Kaur Sidhu, Advocate
for the complainant/respondent No.2.

Tarun Sadana authorized representative of the complainant.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioners seeking quashing of FIR No.134 dated 10.12.2022 (Annexure P-1), registered under Sections 408, 420, 465, 467, 468, 471 and 120-B IPC, at Police Station Phase-XI, SAS Nagar, Mohali and all the subsequent proceedings arising therefrom.

2. The allegations in nutshell are that Tarun Sadana was Chief Executive Officer cum Managing Director of Kimoha Technologies Pvt. Ltd., Plot No.10, Rajiv Gandhi IT Park, Chandigarh. He lodged complainant with the police against Prabhjot Khosla, Avinash Singh, Shalini Sharma, Akash Vashisth and Arvind Bhatia employees of Kimoha Technologies Pvt.



Ltd. and one Ravish Ranjan alleging that aforesaid persons committed offences of criminal misappropriation, cheating, forgery and criminal conspiracy and thereby caused huge losses to the complainant namely Kimoha Technologies Pvt. Ltd., Chandigarh. Consequently, impugned FIR Annexure P-1 was registered against the accused persons including the present petitioners.

3. During the pendency of the present petition, on the last date of hearing, it was brought to the notice of this Court that the matter has been compromised between the parties and settlement agreement dated 23.02.2025 Annexure A-1 was taken on record.

4. Today, the counsel for the parties admitted the factum of compromise and further stated that both the parties will remain bound by the terms and conditions of settlement agreement Annexure A-1.

5. The counsel appearing on behalf of the complainant on instructions of authorized representative of the complainant made statement that the complainant has no objection if the present petition is allowed and impugned FIR is quashed on the basis of settlement agreement Annexure A-1. Tarun Sadana authorized representative of the complainant company who has appeared in person is also having no objection if the present petition is allowed on the basis of aforesaid settlement agreement Annexure A-1. He also admitted his signatures on settlement agreement Annexure A-1 which was signed by him being authorized representative of the company.

6. Senior counsel appearing on behalf of the petitioner also made statement that the present petition be allowed in the light of the aforesaid settlement which has been effected between the parties.



7. The State counsel made statement that the present petition be disposed of in accordance with law in the light of the aforesaid compromise which is stated to be effected between the parties.

8. Having regard to the aforesaid facts and circumstances of the case, it is apparent that complainant and all the accused have settled their dispute in an amicable manner and the authorized representative of the complainant company is having no objection if the impugned FIR Annexure P-1 is quashed in the light of settlement agreement Annexure A-1. It being so, the prosecution of the petitioners on the basis of FIR Annexure P-1 would amount to the abuse of the process of Court and that of law as well.

9. For the foregoing reasons, the present petition is hereby allowed and FIR No.134 dated 10.12.2022 (Annexure P-1), registered under Sections 408, 420, 465, 467, 468, 471 and 120-B IPC, at Police Station Phase-XI, SAS Nagar, Mohali and all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners herein. However, the parties are to be bound by the terms and conditions of settlement agreement Annexure A-1.

10. The pending applications if any are also disposed of in same terms.

01.04.2025

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No