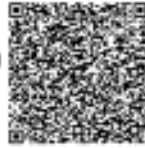


2025:PHHC:159670



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

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CRM-M-34822-2025
Date of Decision: 18.11.2025

GURCHARAN SINGH ALIAS KAKA AND OTHERS

... Petitioners

VERSUS

STATE OF PUNJAB AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL.

Present: Mr. H.K. Brinda, Advocate
for the petitioners.

Mr. P.S. Pandher, AAG, Punjab.

H.S. GREWAL, J. (ORAL)

The petitioners have approached this Court by filing the instant petition under Section 528 of Bhartiya Nagrik Suraksha Sanhita, 2023 seeking quashing of FIR No.0043 dated 14.06.2024 under Sections 420 and 120-B of IPC registered at Police Station Nur Pur Bedi, District Rupnagar (Annexure P-1).

Learned counsel for the petitioners contends that the petitioners had borrowed a sum of Rs.5,00,000/- from respondent No.2 on interest at the rate of 1.5% per month. However, the petitioners defaulted the repayment of the said loan amount, which resulted in registration of the abovementioned FIR. Learned counsel for the petitioners further contends that the matter is purely of civil nature as no element of criminality is made out from the bare perusal of the version mentioned in the FIR.

Notice of motion.

Learned State Counsel accepts notice and submits that the challan against the petitioners has already been presented before the trial Court and the case is now fixed for framing of charge(s).

Learned counsel for the petitioners rebuts the same by stating that in such like cases, filing of challan is of no consequence as no offence of any nature is made out.

Heard.

This Court is of the opinion that once the challan has been filed before the Illaqa Magistrate and the charges are to be framed, in that eventuality, all the pleas as taken hereinabove by learned counsel for the petitioners, can be taken before the trial Court, which is competent enough to examine whether any cognizable offence is made out or not in the present set of circumstances.

Hence, in view of the above, no ground is made out to quash the FIR in question at this stage.

Dismissed.

NOVEMBER 18, 2025.

Rajender

**(H.S. GREWAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No