



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-955-2025

Date of decision: 29.07.2025

KRISHAN KUMAR KALRA AND ANR

....Petitioners

Versus

STATE OF HARYANA AND ANR

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Dinesh Arora, Advocate for the petitioner.

Mr. Pawan Kumar Jhanda, DAG, Haryana.

SANJAY VASHISTH. J.(Oral)

1. Petitioners Krishan Kumar Kalra, aged 61 years and Sunita Kalra, aged 59 years have filed the instant petition for quashing of FIR No.162 dated 04.07.2024, under Sections 406 and 120-B of IPC, registered at Police Station Arya Nagar, Rohtak along with all other consequential proceedings arising therefrom.

2. On 13.01.2025, following order was passed:-

“1. Counsel for the petitioners inter alia contends that there is nothing available with the prosecution or respondent No.2 (complainant) to allege and substantiate that petitioners, being parents of Rahul, are directly or indirectly or in any other manner, are found to be involved in the business deals of the proprietorship firm of their son Rahul.

2. Further submits that dispute is entirely of civil in nature because it has been admitted by the complainant in its complaint itself, that goods amounting Rs.2 crores were supplied, and part payment in that



regard, had been paid by the firm. It was subsequently that the payment was not made, and therefore, the FIR was lodged as an arm twisting method to recover the amount. There is not an iota of evidence to say that the petitioners had intention to cheat the complainant, since inception.

3. *Further submits that the alleged offence against the petitioners is of criminal breach of trust (Section 406 of IPC), but there is nothing averred that the amount or goods have ever been entrusted to the petitioners. Even, in regard to the bouncing of cheques issued by the firm's proprietor, no proceeding have been initiated by the complainant, which fact is also in the knowledge of the police.*

4. *Notice of motion.*

5. *On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana. puts an appearance on behalf of the respondent/State.*

6. *List again on 10.03.2025.*

7. *In the meanwhile, investigation may continue, but filing of challan (final report) shall remain stayed.*

8. *Let the status report be filed by learned State counsel, before the next date of hearing."*

3. In response to the submissions addressed by the petitioner, one status report dated 09.03.2025 by way of affidavit of YVR Sashi Sekhar, IPS Assitant Superintendent of Police, Headquarters, Rohtak has been filed on behalf of respondent-State. The same is already taken on record. Paragraphs No.9, 10 and 11 of the same reads as under:-

"9. That the petitioner No.1 Krishan Kumar has been granted anticipatory bail by Ld.A.S.J., Rohtak vide order dated 18/10/2024 and petitioner No.2 Sunita has been granted anticipatory bail by Ld.A.S.J., Rohtak vide order dated 9/10/2024. Both of them have been joined in investigation on 20/2/2025 and their involvement has not been found in the incident, hence their names have been deleted from the case as accused as no evidence regarding their involvement has been found in the incident.

10. That the investigation of the case is still pending. The arrest of main accused Rahul Kalra is still pending. The FIR is not liable to be quashed at this stage.

11. That the present petition has become infructuous as the name of present petitioners have already been deleted after investigation deleted and only investigation against Rahul Kalra is pending, therefore FIR cannot be quashed



against the main accused.”

- 5. In view of the above-said status report and the stand taken therein, which is reproduced hereabove, there is no need to issue any direction, at this stage.
- 6. Disposed of accordingly.

29.07.2025
amandeep

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No