



CRM-M-4464-2025 (O&M)

1

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

131(i)

**CRM-6849-2026, CRM-17553-2026
IN/AND CRM-M-4464-2025
Date of Decision: 23.04.2026**

VIJAY KUMARI**.....PETITIONER****VERSUS****STATE OF HARYANA AND ANOTHER****...RESPONDENT****CORAM: HON'BLE MR. JUSTICE H.S.GREWAL**

Present: Mr. Parminder Walia, Advocate for the petitioner.

H.S. GREWAL, J. (ORAL)**CRM-6849-2026**

This application has been filed under Section 528 of BNSS with the prayer for the restoration of the main case which was dismissed for non-prosecution vide order dated 03.02.2026.

For the reasons stated in the application, the same is allowed and the main case is ordered to be restored and taken on Board today itself.

CRM-17553-2026

This application has been filed under Section 528 of BNSS (482 of Cr.P.C) for placing on record the short reply along with Annexure R-1 to R-5.

For the reasons stated in the application, the same is allowed and short reply along with Annexure R-1 to R-5 are ordered to be taken on record.

Main case:

1. This petition has been filed under Section 528 of BNSS, 2023 for grant of quashing of FIR No. 100 dated 01.04.2019 under Sections 406, 420, 120-B of IPC registered at Police Station Pinjore, District Panchkula

**CRM-M-4464-2025 (O&M)****2**

and all criminal proceedings arising out of it qua the petitioner may kindly be quashed on the basis of no-due certificate/compromise dated 22.12.2020.

2. The case of the prosecution is that the petitioner availed a loan against pledged gold. However, subsequent to the disbursement of the loan, the petitioner failed to make any repayment towards the outstanding dues. Thereafter, upon initiation of the process for auction of the pledged gold and after duly following the prescribed procedure, the bank got checked purity of gold by a certified goldsmith. Upon such examination, the said gold was found to be fake.

3. Learned counsel for the petitioner submits that the entire outstanding amount has already been paid to the complainant-bank and no dues remain outstanding. It is further submitted that any costs or penalties imposed have also been duly deposited. In support of his contentions, reliance is placed upon the judgment passed by the Hon'ble Supreme Court of India in SLP (Crl.) No. 17481 of 2024, titled *N.S. Gnaneshwaran etc. vs. The Inspector of Police and another*, wherein it has been held that continuation of criminal proceedings, particularly in matters arising out of financial transactions after settlement of dues, would be unwarranted and an abuse of the process of law. He further submits that the complaint filed under Section 138 of the Negotiable Instruments Act has already been withdrawn by the complainant, and even the recovery suit filed by the bank has also been withdrawn on the basis of the payment made by the petitioner.

4. Notice of motion.

**CRM-M-4464-2025 (O&M)****3**

5. Mr. Rakesh Kumar Jangra, AAG, Haryana accepts notice on behalf of the respondent-State. Mr. Pawan Kumar Jangra, Advocate accepts notice on behalf of respondent No.2. He further submits that the matter has not been formally compromised between the parties. It is further submitted “No Due Certificate” has been issued by the complainant-bank but no settlement has been arrived at between the parties.

6. I have heard the submission made by ld. counsel for the parties and perused the record.

7. Keeping in view the facts and circumstances of the present case, this Court is of the considered opinion that the offences alleged in the chargesheet cannot be quashed merely on the ground that the petitioner has repaid the loan amount to the complainant-bank. The allegations against the petitioner pertain not only to a financial transaction but also involve serious offences of forgery and use of fabricated documents, which have wider consequences on public trust and cannot be treated as purely private in nature. Even if the monetary dispute has been settled, the criminality attached to the alleged acts of forgery still survives and requires adjudication during trial. In the absence of any formal compromise between the parties and considering the nature and gravity of the allegations, no ground is made out for exercising inherent jurisdiction to quash the proceedings. Accordingly, the present petition stands dismissed.

23.04.2026*remu***(H.S.GREWAL)
JUDGE**

Whether speaking/ reasoned :

Yes/No

Whether Reportable :**Yes/No**