



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

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CRM-M-53534-2021 (O&M)
Date of decision: 25.05.2026

Asha Rani and Another

....Petitioners

Versus

State of Punjab and Another

...Respondents

Rajiv Kumar

CRM-M-57614-2022 (O&M)

....Petitioners

Versus

State of Punjab and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Ms. Jyoti Sareen, Advocate for the petitioners

Mr. Jasjit Singh, DAG Punjab

Mr. Ajay Singh Rana, Advocate for
Mr. Gaurav Goel, Advocate for respondent No.2

AMAN CHAUDHARY, J. (ORAL)

1. These cases are disposed of by this common order as they arise out of the same FIR.
2. Prayer made in the present petitions is for quashing of FIR No.0006 dated 10.01.2017, registered under Sections 406, 420, 120-B IPC, at Police Station Division No.5, Jalandhar and charge-sheet dated 15.03.2019.
3. Learned counsel for the petitioners submits that the matter has since been settled between the parties; no dues has been issued, Annexure P-3;



the charge of property was also released, Annexure P-4. She refers to the order dated 22.12.2022, wherein the statement of learned counsel for the Bank had been made that there is no dispute, the Bank has received the whole amount and the account stands settled.

4. In this regard, reference has been made to **Suresh C. Singal and Others vs. The State of Gurjarat and Others**, 2025 SCC Online SC 788, wherein also, in pursuance to the One Time Settlement arrived at between the parties and the No Dues Certificate had been issued, in view of which, Hon'ble the Supreme Court quashed the proceedings in the FIR qua the accused while relying on a plethora of judgments, including **Gian Singh v. State of Punjab and Another**, (2012) 10 SCC 303, **Narinder Singh and Others v. State of Punjab and Another**, (2014) 6 SCC 466, relevant paras whereof read thus:

“20. Now, coming to the case in hand, we have already observed that the dispute involved is primarily of civil nature. The aggrieved party, if any, would have been the Bank which has no grievance against the Appellants. Further, no loss has been caused to the Bank as is apparent from the calculations presented by the appellants before this Court. Not only the principal amount has been returned but an amount over and above thereto, on the basis of the settlement, has been received by the Bank. The case is at the very initial stage with the chargesheet having been filed. Keeping in view the observations made by this court in Narinder Singh (supra), in the facts of this case, it can safely be said that the criminal case which has been sought to be projected and proceeded with against the Appellants has an overwhelming and pre-dominant civil character arising out of pure commercial transaction where the parties have resolved their entire dispute amongst themselves.

21. In the light of the fact that the allegations against the Bank Manager relating to his involvement in the commission of offences, which has been alleged against the Appellants, having not been substantiated, the possibility of conviction of the appellants is remote and bleak. Continuation of these criminal proceedings would put the



Appellants to great oppression and prejudice and extreme injustice would be caused to them by not quashing the criminal proceedings...”

5. Learned counsel for the respondent-Bank despite best efforts could neither controvert the factual position that the matter stands settled and the No Due Certificate has also been issued nor draw out any distinctive aspects in the aforementioned judgment or cite any contrary law.

6. The facts and circumstances being such, wherein the respondent-Bank itself accepts the position as demonstrated on behalf of the petitioner, which when viewed in light of the afore judgement, it is found that continuation of such proceedings would amount to abuse of the process of law and is liable to be quashed in exercise of the powers of this Court under Section 482 CrPC, as held in **Jugesh Sehgal vs. Shamsher Singh Gogi**, (2009) 14 SCC 683.

7. In wake of the aforesaid, the present petitions are allowed and the FIR No.0006 dated 10.01.2017 registered under Sections 406, 420, 120-B IPC, at Police Station Division No.5, Jalandhar and consequential proceedings arising therefrom, are hereby quashed qua the petitioners.

8. A photocopy of this order be placed on the file of the connected case.

(AMAN CHAUDHARY)
JUDGE

25.05.2026
M.Kamra

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