



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

**CRM-M-37181-2025
Date of decision: 17.07.2025**

RAMAN KUMAR

...PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Avjit Singh, Advocate for
Mr. Rahul Bhargava, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.0064 dated 18.04.2023 under Sections 420/120-B of IPC registered at Police Station Cantonment, District Police Commissionerate, Amritsar (Annexure P-1) along with all subsequent proceedings arising therefrom.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner availed a loan from ICICI Bank for purchase of a car. However, the petitioner failed to pay the monthly loan installments and upon inquiry, it came to the notice that the ownership of the vehicle has been transferred from the petitioner to a third party, namely, Rajinder Kumar without consent or knowledge of the bank. Learned counsel submits that the allegations levelled in the FIR (*supra*) are purely civil in nature and pertain to



a commercial/contractual dispute between the parties. He further submits that there is no allegation or material on record to show that the petitioner had any dishonest intention at the inception of loan agreement. Therefore, registration of the FIR (*supra*) and continuation of the proceedings are clearly an abuse of the process of law. Learned counsel for the petitioner submits that the petitioner would be satisfied in case all the documents, which are annexed with the present petition and all the averments made herein, are considered by the Investigating Officer before submitting the final report under Section 193 of BNSS, 2023 (*erstwhile Section 173 Cr.P.C.*).

3. Notice of motion.

4. On asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab, who is present in the Court, accepts notice on behalf of the respondent No.1-State and submits that he has no objection, in case the Investigating Officer is directed to consider all the documents, which are annexed with the present petition, before preparing the final report under Section 193 of BNSS, 2023 (*erstwhile Section 173 Cr.P.C.*).

5. Having heard learned counsel for the parties and after perusing the record of the case with their able assistance and with the consent of parties, the matter is taken up for final disposal today itself.

6. Keeping in view the aforesaid facts and circumstances, present petition is disposed of with a direction to the Investigating Officer to consider all the documents, which are annexed with the present petition and averments



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made in the present petition, before preparing the final report under Section 193 of BNSS, 2023 (*erstwhile Section 173 Cr.P.C.*).

7. It is clarified that in case, final report under Section 193 of BNSS, 2023 (*erstwhile Section 173 Cr.P.C.*) is against the petitioner, he would be at liberty to file a fresh petition to challenge the FIR (*supra*) as well as the final report under Section 193 of BNSS, 2023 (*erstwhile Section 173 Cr.P.C.*).

July 17, 2025
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(HARPREET SINGH BRAR)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |