

CRM-M-1400-2016

Date of Decision : 24.09.2016

Hardaman Singh

.....Petitioner

versus

UT of Chandigarh and another

....Respondents

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Sandeep Vermani, Advocate
for the petitioner.Ms. Ashima Mor, Addl.P.P.
for U.T. Chandigarh.Mr. Jagjit Singh, Advocate
for respondent No. 2.**M.M.S. BEDI, JUDGE (ORAL)**

Petitioner along with two others had allegedly cheated respondent No. 2.

This petition has been filed for quashing of the FIR and criminal proceedings on the ground that the matter has been compromised as the petitioner has paid the entire amount received from the complainant.

Since the other accused have not been arrayed in the present petition, it will not be appropriate for this Court to quash partly the FIR on the basis of compromise.

This petition is disposed of as not maintainable. However, it is directed that it will be open to the complainant/respondent No. 2 to get her supplementary statement recorded with the investigating officer. The investigating officer shall record the supplementary statement, in case, it is offered voluntarily, as per the mandate of Section 163 (2)

Cr.P.C. On the basis of said statement, it will be open to the prosecution agency to file any cancellation/untraced report *qua* the petitioner which may be dealt with by the concerned Court, on the basis of no objection submitted by the complainant on receipt of notice in accordance with law.

Disposed of with above said observations without prejudice to the right of the petitioner to approach this Court, in case, the matter is compromised amongst all the accused and the complainant.

(M.M.S. BEDI)
JUDGE

24.09.2016
Neha

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