

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

117

CRM-M-41332-2016 (O&M).
Decided on: December 12, 2016.

Boota Singh and others

.. Petitioner(s)

VERSUS

State of Punjab and another

.. Respondent(s)

* * *

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

* * *

PRESENT Mr.Achin Gupta, Advocate, for the petitioners.

M.M.S. BEDI, J. (ORAL)

Petitioners seek quashing of an FIR which was registered at the instance of Ravinder Singh alleging that the petitioners connived together and committed act of theft by entering the house of complainant.

On asking of the Court, it has been informed that the FIR is registered against 9 persons but matter has been compromised with 8 persons and challan has not been presented as yet.

Mr.Sukhmeet Singh, Advocate, has put in appearance on behalf of the complainant to admit that the matter has actually been compromised with the petitioners, however, he is not aware about the status of settlement, if any with Partap Singh non-petitioner.

The FIR, on the basis of compromise, can be quashed by this Court but partial quashing of FIR does not appear to be appropriate. Since challan has not yet been presented, it is always open to the complainant or the material witnesses to approach the investigating officer and furnish supplementary statement/statements, in case deemed appropriate as it is always required of the investigating officer to record the statements of the witnesses offered voluntarily as per the provisions of Section 163 (2) Cr.P.C.

This petition is dismissed as not maintainable. However, it is ordered that in case any supplementary statement is offered voluntarily by the complainant or any other witness, the same would be taken into consideration by the investigating officer, in the interest of justice.

(M.M.S. BEDI)
JUDGE

December 12, 2016.

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Whether speaking / reasoned
Whether reportable:

Yes / No
Yes / No