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

CRM-M-31344-2015
Date of decision : 16.11.2015

Tarlochan Singh

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

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

Present: Mr. Gaurav Sharma, Advocate, for the petitioner.

Ms. H.K. Athwal, DAG, Punjab.

Mr. B.S. Aulakh, Advocate, for respondent No.2.

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

In a case of road side accident, injuries having been received by Surinder Kumar Mahajan, respondent No.2, the petitioner was convicted by the trial Court in FIR No.179 dated 01.08.2010.

During pendency of appeal, the matter has been compromised. Copy of compromise has been placed on record as Annexure P-3. Complainant Ashok Kumar Mahajan has not been made party in this petition.

This petition is disposed of with a direction that Appellate Court shall record the statement of the complainant and the injured besides petitioner regarding the matter having

been compromised. If the said Court is satisfied that the matter has been compromised without any threat, coercion or undue influence and that the injured/affected party has been compensated in any other forum, it will be open to the Appellate Court to consider the compromise as a mitigating circumstance either to grant benefit of doubt to the petitioner or to grant any other relief including release of the petitioner on probation.

November 16, 2015

Ramandeep Singh

**(M.M.S. BEDI)
JUDGE**