

CRM-M-32023-2015 (O&M)

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

**CRM-M-32023-2015 (O&M).
Decided on: September 18, 2015.**

Subhash Chander

.. Petitioner(s)

VERSUS

State of Punjab and another

.. Respondent(s)

*** * ***

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

*** * ***

**PRESENT Mr.A.K.Khunger, Advocate,
for the petitioner.**

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

Petitioner after having been convicted in a case under Section 304-A and 427 IPC, has approached this Court for quashing of FIR and all the criminal proceedings including the conviction order on the basis of compromise dated 3.9.2015.

On asking of the Court, counsel for the petitioner submits that he is not aware whether the heirs of deceased Pal Singh, brother of respondent No.2 was married having wife and children. If it is so, the matter cannot be permitted to be compromised unless and until all the affected parties appear before the Court and satisfy the Court that the matter has actually been compromised without any threat, coercion or undue influence.

Counsel for the petitioner has submitted that the petitioner is suffering from brain tumor and on account of his critical

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condition the parties have entered into a compromise.

This petition is disposed of with a direction that in case sufficient material is produced before the Appellate Court regarding the petitioner being a patient of brain tumor; the heirs of the deceased having been adequately compensated by any Motor Accident Claims Tribunal; and there being no grievance on their part, they being satisfied, it will be open to the lower Appellate Court to either give the benefit of doubt to the petitioner or to release him on probation taking into consideration the compromise as a mitigating circumstance on account of ailment of the petitioner.

(M.M.S.BEDI)
JUDGE

September 18, 2015.
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