



ORDER BELOW EXH.1 IN CRIMINAL M.A. NO.478/2023

Read complaint, verification statement of complainant and the documents accompanying it. Upon recording verification statement of complainant, police were directed to investigate the allegations made in the complaint under Section 202 of Cr.P.C., for the purpose of deciding whether or not there is sufficient ground for proceeding. Accordingly, police have submitted their report.

2] Upon perusal of complaint, verification statement of complainant and report submitted under Section 202 of Cr.P.C. and upon hearing Ld. Advocate for complainant, *prima-facie* it appears that, during the subsistence of decree passed in favour of complainant in R.C.S. No.225/2007 and confirmed in R.C.A. No.82/2011, non-applicant No.3 in furtherance of his common intention with non-applicants No.1, 2 and 4 to 6, by filing R.C.S. No.1045/2022, obtained compromise-decree from the Court by suppressing material facts as to the right of complainant in the suit properties involved therein and the existence of decree in favour of complainant. As such, essential ingredients of the offence punishable under Sections 193, 199, 200, 465, 468, 420, 471 r/w 34 of I.P.C. are forthcoming from the material available on record. However, essential ingredients of Sections 466, 467 of I.P.C. are not forthcoming from the material available on record. Thus, I am satisfied that, there are sufficient grounds for proceeding against non-applicants only for the offence punishable under Sections 193, 199, 200, 465, 468, 420, 471 r/w 34 of I.P.C. Accordingly, I pass following order :

ORDER

1. Issue process against non-applicants for the offence punishable under Sections 193, 199, 200, 465, 468, 420, 471 r/w 34 of I.P.C., *vide* Section 204 of Cr.P.C.
2. Case be registered as Regular Criminal Case.

Date : 12.03.2026

Place : Georai

(H.M. Momin)

Judicial Magistrate First Class
(Court No.3), Georai

