

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

CRA No.D-1617-DB of 2014 (O&M)

Date of decision : 26.02.2015.

Nahar Singh

..... Appellant

Versus

State of Punjab and others

..... Respondent

**CORAM : HON'BLE MR.JUSTICE S.S.SARON
HON'BLE MR. JUSTICE GURMIT RAM**

Present : Mr. S.P.S.Sidhu, Advocate for the appellant.

S.S.Saron, J.

The appeal has been filed by Nahar Singh-appellant praying for awarding heavy compensation to him for the brutal murder of his only son by respondents No.2 to 10. No compensation has been awarded in terms of the judgment and order dated 17.12.2013 passed by the Additional Sessions Judge, Patiala.

Learned counsel for the appellant submits that keeping in view the fact that no compensation has been awarded and appeal in terms of proviso to Section 372 of the Code of Criminal Procedure may lie only against a judgment whereby inadequate compensation is awarded, he may without prejudice to the rights of the appellant be allowed to withdraw the present appeal so as to enable the appellant to seek compensation in the pending appeals filed by respondents No.2 to 10 against their conviction and sentence.

Accordingly, the appellant is permitted to withdraw the appeal.

Dismissed as withdrawn.

**(S.S. SARON)
JUDGE**

February 26, 2015

Manoj Bhutani

**(GURMIT RAM)
JUDGE**