

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.33280 of 2015
and
Criminal Appeal No.S-569-SB of 2012

.....

Date of decision:4.12.2015

Inderpal Singh and others

...Applicants/Appellants

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

.....

Present: Mr. K.G. Chaudhary, Advocate for the applicants/appellants.

Mr. Varun Sharma, Assistant Advocate General, Punjab
for the respondent-State.

Ms. Balpreet Sidhu, Advocate for the complainant.

.....

Inderjit Singh, J.

Cr. Misc. No.33280 of 2015:

This application has been filed under Section 482 Cr.P.C. read with Section 320 Cr.P.C. for disposal of the appeal on the basis of settlement/compromise arrived at between the parties in the above mentioned appeal.

Notice of this application was given to the State of Punjab.

Mr. Varun Sharma, learned Assistant Advcoate General, Punjab

has put in appearance on behalf of the respondent-State and Mr. Balpreet

[2]

Sidhu, learned Advocate has appeared on behalf of the complainant-injured.

At the request of the learned counsel for the applicants/ appellants as well as learned counsel for the complainant-injured, this application is allowed and the appeal is taken-up for hearing today itself.

Cr. Appeal No.S-569-SB of 2012:

I have heard learned counsel for the parties and have gone through the record.

From the record, I find that the learned Additional Sessions Judge, Ludhiana vide judgment dated 13.1.2012 convicted and sentenced the appellants for the offences under Sections 325, 323 read with Section 34 IPC and sentenced to undergo rigorous imprisonment maximum for three years and also ordered to pay fine. The offence under Section 323 IPC is compoundable and the offence under Section 325 IPC is compoundable with the permission of the Court.

Learned counsel for the complainant-injured has stated that the complainant has no objection if the offences are compounded. Affidavits of Gurpreet Singh as well as Hakam Singh-injured have already been placed on record.

Keeping in view the fact that the parties have already effected a compromise and they will live with amity instead of enmity in future, I grant permission to compound the offence under Section 325 IPC.

Keeping in view the lawful composition of the offences between the parties, the offences under Sections 323, 325 read with Section 34 IPC are compounded. In view of the lawful composition of the offences,

[3]

this appeal is accepted and the accused/appellants are acquitted of the charges as framed against them. The judgment of conviction and order of sentence is set aside. Since, the sentence of the appellants has already been suspended and they are on bail, their bail and surety bonds stand discharged.

December 4, 2015.

(Inderjit Singh)
Judge

hsp