

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR No. 132 of 2006 (O&M)
Date of Decision: 27.05.2015

Partap Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MS. JUSTICE ANITA CHAUDHRY

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the digest?

Present: Mr. Sukhdip Singh Sidhu, Advocate
for the petitioners

Mr. K.S. Aulakh, AAG Punjab

ANITA CHAUDHRY, J.

Report from the Court below regarding compromise received.

Through the instant petition, the petitioners have laid challenge to the judgments of conviction and sentence passed by the Courts below in an FIR filed at the instance of respondent No.2.

The said FIR was filed before the Court by respondent No. 2 Jagtar Singh on the allegations that on 28.05.1997 the dispute took place suddenly in the fields with regard to the share and the turn of water supply.

It is apt to mention here that Kuldeep Singh @ Davinder was acquitted in the FIR.

On conclusion of trial in the FIR, the petitioner Partap

Singh was held guilty and sentenced to undergo rigorous imprisonment for 2 years with a fine of Rs.500/- under Section 326/34 IPC and in default of payment of fine to further undergo rigorous imprisonment for one month and Harjit Singh was sentenced to undergo rigorous imprisonment for a period of 3 years and to pay fine of Rs. 500/- in an offence under Section 326 IPC and both the petitioners were sentenced to undergo rigorous imprisonment for a period of 1 year and to pay fine of Rs. 250/- in offence under Section 323 IPC vide judgment and order dated 18.12.2001.

The appeal filed by the petitioners was dismissed by the Addl. Sessions Judge (Adhoc), Fast Track Court, Muktsar vide judgment dated 09.01.2006.

Dis-satisfied with the same, instant revision petition was filed.

Though, the petitioners challenged their conviction sentence on various ground, but now it has been contended that the parties have arrived at a compromise. Affidavit of respondent No.2-complainant Jagtar Singh has also been placed on record, wherein it has been stated that the parties have settled the dispute and the complainant has no objection if the petitioners-accused are acquitted.

The parties were directed to appear before the trial Court for recording their statements in support of the compromise.

Report of the Court below has been received to the effect that the statement of complainant about the compromise has been recorded and he has made the statement voluntarily and out of his own free will.

Since the complainant and the accused have amicably settled their dispute, there is no legal impediment in granting permission to them to compound the offence.

Consequently, the revision petition is allowed. The judgments of conviction and sentence passed by the Courts below is set aside and the petitioners are acquitted of the charges.

May 27, 2015

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**(ANITA CHAUDHRY)
JUDGE**