

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

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CRR No.341 of 2007 (O&M)

Decided on : 24.03.2015

Nachhattar Singh and others

... Petitioners

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR.JUSTICE HARI PAL VERMA

Present : Mr.K.S.Chahal, Advocate
for the petitioners.
Mr.Gurinderjit Singh, DAG, Punjab.
Mr.A.S.Dhindsa, Advocate for
Mr.Munish Raj, Advocate for the complainant.

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Hari Pal Verma, J. (Oral)

Petitioners have filed the present revision petition against the order dated 15.02.2007 passed by Additional Sessions Judge, Mansa affirming the judgment dated 15.04.2003 passed by the Chief Judicial Magistrate Mansa vide which the petitioners were ordered to undergo RI for two years and fine of Rs.1,000/- for the offence punishable under Sections 325 and 34 IPC and in default of payment of fine to further undergo RI for three months, thereby dismissing the appeal of the petitioners.

During the pendency of the revision petition, a compromise has been effected between the parties. Therefore, vide order dated 25.09.2014, this Court has passed the following order:-

“Again adjourned to 10.11.2014 for arguments, at the

request of learned counsel for the petitioner.

Meanwhile, the trial Court is directed to indicate (i) how many total accused are facing the trial, (ii) status/stage of the trial/case, (iii) to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise deed dated 06.06.2014 (Annexure A-1) and (iv) to send its report to this Court before the next date of hearing. .”

In compliance of the above order passed by this Court, the Sub Divisional Judicial Magistrate, Sardulgarh, has submitted a report dated 01.11.2014 vide which it is mentioned that parties (except *Nachhattar Singh son of Tek Singh*, one of the petitioners, who has died on 01.02.2012 as per his death certificate, appended as Annexure R-1) have appeared before the trial Court and gave their respective statements without any pressure and with their free will in respect of compromise effected between them.

Learned State counsel has also admitted the factum of compromise effected between the parties. After perusing the statements of the parties and the report of Sub Divisional Judicial Magistrate, Sardulgarh, learned State counsel submits that he has no objection if the impugned FIR is quashed.

Reply by way of an affidavit of Surinder Kumar, PPS, Deputy Superintendent of Police, Sardulgarh, District Mansa filed in the court is taken on record. In which it is stated that Nachhattar Singh, one of the petitioners has died on 01.02.2012. Therefore, petition qua him is abated.

Heard.

The petitioners have been booked for having committed the

offence punishable under Sections 325 and 34 IPC. However, during the pendency of the revision petition, the parties have compromised the matter and report thereof has been submitted by the learned Sub Divisional Judicial Magistrate, Sardulgarh.

Considering the fact that parties have settled their dispute with the complainant, and the complainant has no grouse against the petitioners, thereby drawing support from the judgment of Hon'ble Supreme Court in **Anil Kumar Haritwal** Vs. **Alka Gupta** 2004(4) SCC 366, this revision petition is allowed and the conviction and sentence awarded by the courts below is set aside.

[Hari Pal Verma]
Judge

24.03.2015
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