

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

Crl. Revision No. 3176 of 2013(O&M)

Date of Decision: 26.03.2015

Devinder Singh

.. Petitioner

Vs.

State of Punjab & Anr.

.. Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present:- Mr. Vinay Kumar Mahajan, Advocate
for the petitioner.**

Mr.V.P.S. Sidhu, Assistant AG Punjab.

**Mr. Vinay Kumar Malhotra, Advocate
for complainant/ respondent No.2.**

ANITA CHAUDHRY, J.

Report from the Court below regarding
compromise received.

Revision petition is taken up on board for hearing
today itself. Crl. Misc. no. 13937 of 2014 stands disposed of.

Through the instant petition, the petitioner has
laid challenge to the judgments of conviction and sentence
passed by the Courts below.

The petitioner was tried for the offence under
Section 279, 304-A and 337 IPC with the allegations that on
11.10.2007 he drove the car rashly and negligently and
caused the accident, which resulted in injuries to Sandeep

and death of Vinay Kumar.

On conclusion of trial, the petitioner was held guilty and sentenced to undergo rigorous imprisonment for three months each under Sections 279 and 337 IPC and one year's rigorous imprisonment with a fine of Rs.1000/- under Section 304-A IPC vide judgment and order dated 15.04.2013.

In appeal, the conviction and sentence of the petitioner was under Section 337 IPC was set aside. His conviction and sentence under other heads was maintained.

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

During pendency of the revision petition, it has been contended that the parties have arrived at a compromise. Compromise deed (Annexure P-1) has also been placed on record. On the request of petitioner, the main aggrieved person i.e. mother of the deceased, namely, Asha Rani was impleaded as respondent No.2. In the compromise factum of compromise between the parties is reiterated and it has been submitted that Asha Rani has no objection if the accused is acquitted.

The parties were directed to appear before the Chief Judicial Magistrate, Patiala for their statements in support of compromise.

Report of the Court has been received to the effect that the compromise effected between the parties is genuine, with free consent and without any pressure.

Since Asha Devi, who is the aggrieved person 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 petitioner is acquitted of the charges.

March 26, 2015
Jiten

(ANITA CHAUDHRY)
JUDGE