

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

**Date of decision:09.09.2015.**

Rajnish Singh

.....Petitioner

v.

State of Haryana

.....Respondent

**CORAM: HON'BLE MR.JUSTICE JASWANT SINGH**

Present:- Mr.Veneet Sharma,Advocate for the petitioner  
Mr.Rajiv Doon,AAG Haryana for respondent State  
Mr.Saurabh Sharma,Advocate for the complainant.

**Jaswant Singh,J.(Oral)**

CrI.M.No.23016/2015 is allowed and compromise dated 8.6.2015 entered into between the accused and complainant-Neelam is taken on record.

CRR 1424/2014

Present revision has been preferred against judgment of conviction and order of sentence dated 3.4.2013 passed by learned JMIC, Kurukshetra whereby the petitioner was convicted under Section 354 IPC in FIR No.372 dated 23.7.2009 and sentenced to undergo RI for two years and to pay fine of Rs.5000/- and in default of payment of fine to undergo further RI for 3 months; further challenge is to the appellate order dated 22.4.2014 passed by learned Additional Sessions Judge, Kurukshetra whereby the appeal was partly allowed and while

upholding the order of conviction, sentence was reduced from 2 years to 1 year.

After filing the present revision, it has been stated that parties have entered into a compromise which has since been taken on record. It is further stated that the petitioner has deposited the fine and has also undergone the reduced one year of sentence. To save Government service of the petitioner, prayer is thus for quashing of the FIR and all subsequent proceedings in the light of compromise and the petitioner having undergone the sentence period. In support, learned counsel for the petitioner has cited judgment of this Court reported as **Satya Narain v State of Haryana, 2009(3)RCR (Criminal)97.**

Learned counsel for the complainant has acknowledged the factum of compromise as also the terms of compromise deed dated 8.6.2015. He on instructions from his client states that he has no objection if the entire proceedings are set aside keeping in view the interest of family members of the petitioner.

Learned State counsel in view of the interest of the family of the petitioner as also the settled law also does not seriously object to the quashing of the entire proceedings.

After hearing learned counsel for the parties, the plea of the petitioner for mercy so as to save the family of the petitioner, is liable to be accepted.

No doubt it is quite well settled that after conviction of an accused the proceedings ordinarily should not be quashed merely on

the basis of compromise, however, in certain circumstances like in the present case and the fact that the offence was compoundable at the time of commission of the same, this Court in the light of the mandate of the cited case which covers the present case on all fours is inclined to accept the plea of the petitioner.

Accordingly, Crl.M.No.23017/2015 under Section 320(2) read with Section 482 Cr.PC is allowed. Consequently, the FIR as also judgment of conviction and order of sentence dated 3.4.2013 passed by JMIC,Kurukshetra as also the judgment and order dated 22.4.2014 passed by appellate court affirming the judgment of conviction but reducing the sentence awarded by the trial court, are set aside/quashed resulting into acquittal of the petitioner.

However, for having utilized the precious efforts and time of the courts, the petitioner shall pay a sum of Rs.10,000/- (Rupees ten thousand only) to District Legal Service Authority,Kurukshetra within one month from today.

09.09.2015.  
joshi

**(Jaswant Singh)**  
**Judge**