

In the High Court of Punjab and Haryana at Chandigarh

Crl. Revision No. 1680 of 2014 (O&M)
Date of decision: 12.1.2015

Gurmit Singh alias Meeta and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. R.K.Girdhar, Advocate
for the petitioners.

Mr. Deep Singh, AAG, Punjab.

None for respondents No. 2 and 3.

SABINA, J.

Petitioners along with their co-accused had faced the trial qua commission of offence punishable under Section 392, 323 of the Indian Penal Code, 1860 ('IPC' for short) in FIR No. 79 dated 26.2.2008, registered at Police Station Sadar Fazilka. Trial Court vide judgment/order dated 27.7.2013 ordered the conviction and sentence of the petitioners under Section 392, 323 IPC. Aggrieved against the said judgment/order of their conviction and sentence, petitioners preferred an appeal and the same was dismissed by the Appellate Court vide order dated 22.4.2014. Hence, the present petition by the petitioners.

Learned counsel for the petitioners has submitted that petitioner No. 1 was known to the complainant and, in fact, as per the prosecution case itself, petitioner No. 1 along with complainant

had gone to Punjab to purchase a tractor. However, now the parties have amicably settled their dispute. Learned counsel for the petitioners has not challenged the conviction of the petitioners under Section 392, 323 IPC but has submitted that sentence qua imprisonment of the petitioners be reduced to the period already undergone by them.

Vide order dated 18.9.2014, parties were permitted to appear before the Trial Court for recording of their statements with regard to compromise effected between them.

In pursuance to the said order, parties appeared before the Trial Court. As per the report of the Trial Court, compromise effected between the parties is voluntary and without any duress, coercion and threat of any kind and has been effected in order to maintain peace and harmony and cordial relations between the parties.

Keeping in view the facts and circumstances of the present case, it would be just and expedient to reduce the sentence qua imprisonment of the petitioners to the period already undergone by them.

Accordingly, conviction of the petitioners under Section 392, 323 IPC is maintained. However, sentence qua imprisonment of the petitioners is reduced to the period already undergone by them.

Petition stands disposed of accordingly.

**(SABINA)
JUDGE**

January 12, 2015

Gurpreet