

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

CRR No.1850 of 2015

Date of decision: 21st July, 2015

Sarwan and others

... Petitioners

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Anshuman Dalal, Advocate
for the petitioners.

Mr. Munish Sharma, Asstt. Advocate General, Haryana.
for respondent No.1.

Mr. Rohan Jain, Advocate
for respondent No.2.

FATEH DEEP SINGH, J.

Petitioners Sarwan, Sumer, Sanjay and Pappu along with their co-accused were found guilty and convicted under Sections 148, 506 and 448 read with Section 149 IPC by the trial Court of learned Judicial Magistrate 1st Class, Rohtak vide judgment dated 04.07.2014 and vide order of sentence dated 07.07.2014 were sentenced under Section 148 to undergo RI for one year and to pay a fine of ₹1,000 and in default to undergo further imprisonment for one month; under

Section 448 read with Section 149 to undergo simple imprisonment for six months and to pay a fine of ₹1,000 and in default to undergo further imprisonment for one month; whereas under Section 506 he was sentenced to undergo RI for three months, and which findings were affirmed by the appellate Court of learned Additional Sessions Judge, Rohtak vide judgment dated 27.04.2015.

During the pendency of this revision petition, a request was made seeking quashment of the FIR and all consequent proceedings including judgment of conviction on the basis of a compromise arrived at between the parties, whereupon report of the Court below was called for.

Report dated 11.06.2015 of Chief Judicial Magistrate, Rohtak has been received whereby after recording statements of complainant Laxmi Narain as well as accused petitioners namely Sarwan, Sumer, Sanjay and Pappu, the Court has shown its satisfaction that the compromise has been arrived at voluntarily, out of free will of the parties, without any undue influence, coercion or pressure.

In the light of the satisfaction shown by the Court, the fact that the offences for which the accused have been hauled up are not of serious nature, together with the fact that compromise will go a long way in ironing out differences for betterment of future life of the parties and in view of the law laid down by a Division Bench of this Court in **‘Sube Singh and another v. State of Haryana and another’ 2013(4)**

RCR (Criminal) 102 and by the Hon'ble Apex Court in **2012(10) SCC 303** titled as '**Gian Singh v. State of Punjab and another**' and **2014(6) SCC 466** titled as '**Narinder Singh and others v. State of Punjab and another**', FIR No.271 dated 14.09.2008 registered at Police Station Kalanaur under Sections 148/149/457/448/511/506 IPC against the present petitioners namely Sarwan, Sumer, Sanjay and Pappu, along with judgment of conviction dated 04.07.2014 passed by learned Judicial Magistrate 1st Class, Rohtak and judgment dated 27.04.2015 of learned first appellate Court and all consequences arising thereof qua the present petitioners are hereby quashed.

The revision petition stands disposed off in those terms.

(FATEH DEEP SINGH)
JUDGE

July 21, 2015
rps