

In the High Court of Punjab and Haryana at Chandigarh

Crl. Revision No. 2630 of 2015 (O&M)
Date of decision: 01.9.2015

Om Parkash and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. S.K.Tripathi, Advocate
for the petitioners.

Mr. A.S.Sidhu, AAG, Punjab.

Respondent No. 2 in person with
Mr. Amit Jain, Advocate.

SABINA, J.

Petitioners had faced the trial qua commission of offence punishable under Section 325, 323 of the Indian Penal Code, 1860 ('IPC' for short) in FIR No. 46 dated 14.3.2008, registered at Police Station Division No. 5, Jalandhar. Trial Court vide judgment/order dated 23.11.2012 ordered the conviction and sentence of the petitioners under Section 325/34 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 13.7.2015. Hence, the present petition by the petitioners.

During the course of arguments, learned counsel for the petitioners has not challenged the conviction of the petitioners under Section 325/34 IPC but has submitted that sentence qua

imprisonment of the petitioners be reduced to the period already undergone by them. Learned counsel has further submitted that the petitioners are ready to pay compensation at the rate of ₹ 20,000/- each to the injured-respondent No. 2.

Respondent No. 2 is present in person along with his counsel and has accepted the offer made by the petitioners.

Accordingly, conviction of the petitioners under Section 325/34 IPC is maintained. However, sentence qua imprisonment of the petitioners is reduced to the period already undergone by them. Petitioners are directed to pay ₹ 20,000/- each by way of compensation to respondent No. 2 and the said amount be deposited before the Trial Court within one month from today. Trial Court shall release the amount deposited by the petitioners to respondent No. 2-Banarsi Dass, forthwith. In case, petitioners fail to deposit the amount of compensation within one month from today, this petition shall be deemed to have been dismissed. Petitioners, who are in custody, be set at liberty forthwith, if not required in any other case.

Petition stands disposed of accordingly.

**(SABINA)
JUDGE**

September 01, 2015

Gurpreet