

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

Crl. Revision No. 2656 of 2014(O&M)

Date of Decision: 21.04.2015

Avtar Singh

.. Petitioner

Vs.

State of Punjab & Anr.

.. Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present:- Mr. Veneet Sharma, Advocate
for the petitioner.**

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

**None for the
complainant/ respondent No.2.**

ANITA CHAUDHRY, J.

Report from the Court below regarding
compromise received.

Through the instant petition, the petitioner has
laid challenge to the judgments of conviction and sentence
passed by the Courts below in a criminal complaint case
filed at the instance of respondent No.2.

The said complaint was filed before the Court by
respondent No.2 Jagbir Singh with the allegations that on
23.08.2004 Avtar Singh drove mini bus bearing registration
No. PB02B-9906 rashly and negligently and caused the
accident, which resulted in death of his father Gurmeet

Singh. It was also his grouse that though the police registered FIR No.239 dated 23.08.2004 under Sections 304-A, 279 and 427 IPC, but finally filed the challan against one Hardeep Singh @ Rana and let off the real culprit Avtar Singh.

It is apt to mention here that Hardeep Singh was acquitted in the FIR case.

On conclusion of trial in the complaint case, the petitioner was held guilty and sentenced to undergo rigorous imprisonment for two years with a fine of Rs.1000/- under Section 304-A IPC vide judgment and order dated 05.01.2012.

The appeal filed by the petitioner was dismissed by the Addl. Sessions Judge, Amritsar vide judgment dated 06.08.2014.

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

Though, the petitioner challenged his conviction sentence on various ground, but now it has been contended that the parties have arrived at a compromise. Affidavit of respondent No.2-complainant Jagbir Singh, Annexure A-1(T) has also been placed on record, wherein it has been stated that the parties have settled the dispute and the complainant has no objection if the petitioner-accused is

acquitted.

The parties were directed to appear before the trial Court for recording their statements in support of compromise.

Report of the Court below has been received to the effect that the statement of complainant about the compromise has been recorded and he has made the statement voluntarily and out of his own free will.

Since the complainant 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.

April 21, 2015
Jiten

(ANITA CHAUDHRY)
JUDGE