

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

**CRR No.2880 of 2015 (O&M)
Date of decision: 08.09.2015**

Baljit Singh and another

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN.

Present: Mr. Mohd. Salim, Advocate
for the petitioners.

Mr. A.S. Kler, DAG, Punjab.

Mr. B.K. Sharma, Advocate
for respondent No.2.

SHEKHER DHAWAN J. (Oral)

The present revision petition has been filed by the petitioners for quashing/setting-aside the judgment dated 30.01.2015, passed by Judicial Magistrate Ist Class, Jagraon and the judgment dated 21.07.2015, passed by learned Additional Sessions Judge, Ludhiana.

2. During the course of preliminary hearing, the trial Court was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the Compromise Deed dated 08.07.2015, by this Court.

3. In compliance thereof, report from the Judicial Magistrate Ist Class, Jagraon, dated 03.09.2015, has been received, in which, it has been mentioned that the compromise arrived at between the parties is genuine, voluntary and without any coercion or undue influence.

4. In the instant case, the petitioners are convicted and sentenced as follows:-

Under Section 452 IPC	Rigorous imprisonment for a period of one year and fine of Rs.1,000/- each and in default thereof to further undergo rigorous imprisonment for a period of 15 days.
Under Section 325 IPC	Rigorous imprisonment for a period of six months and fine of Rs.500/- each and in default thereof to further undergo simple imprisonment for a period of 15 days.
Under Section 323 IPC	Fine of Rs.500/- each and in default thereof to further undergo simple imprisonment for a period of 15 days.

It has been submitted by learned counsel for the petitioners as well as respondent No.2/complainant that the compromise has been effected between the parties with the intervention of relatives and respectables. The prayer is for taking a lenient view in awaiting sentence awarded to the petitioners.

At this stage, learned counsel for the petitioners has relied upon “Manohar Singh vs State of Madhya Pradesh and another”, (2014) 13 SCC 75, whereby while upholding the judgment of conviction, the order of sentence was modified and the sentence awarded to the appellant therein was reduced to the period already undergone by him.

Having regard to the contentions of learned counsel for

the parties and the fact that the matter has already been settled between the parties with the intervention of relatives and respectables and the compromise effected between the parties shall give an opportunity to them to live peacefully in future as well, it would be in the interest of justice that parties are allowed to compromise the matter.

Keeping in view the compromise reached between the parties and the fact that sentence of the petitioners has already been suspended by this Court vide order dated 10.08.2015, the judgment of conviction dated 30.01.2015, passed by Judicial Magistrate Ist Class, Jagraon and the judgment dated 21.07.2015 passed by Additional Sessions Judge, Ludhiana, affirming the conviction of the petitioners is hereby maintained, however, the sentence awarded to the petitioners is modified and reduced to the period already undergone by them.

The criminal revision petition is disposed of, accordingly.

(SHEKHER DHAWAN)
JUDGE

08.09.2015
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