

CRR-3731-2015 (O&M)

Date of Decision: 26.11.2015

.....Petitioner

Vs.

....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Ritesh Pandey, Advocate
for the petitioner.

Mr.J.S.Sekhon, AAG, Punjab.

Mr. A.S.Bhatti, Advocate
for respondent No.2.

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SABINA, J.

Petitioner had faced trial qua commission of offence punishable under Sections 279, 338 and 427 of Indian Penal Code, 1860 ('IPC'-for short) in FIR No.157, dated 27.11.2005, registered at Police Station Kahnuwan, District Gurdaspur. Trial Court vide judgment/order dated 02.07.2012 ordered the conviction and sentence of the petitioner under Sections 279, 337 and 338 IPC. Aggrieved against the said judgment/order of his conviction and sentence, petitioner preferred an appeal and the same was dismissed by the Appellate Court vide order dated 05.06.2015. Hence, the present petition by the petitioner.

Learned counsel for the petitioner has submitted that now parties have amicably settled their dispute. Learned counsel has further submitted that he does not challenge the conviction of the petitioner under Section 279, 337 and 338 IPC but has submitted that sentence qua imprisonment of the petitioner be reduced to the period already undergone by him.

Learned counsel for respondent No.2 has further admitted the factum of compromise between the parties and had stated that respondent No.2 has no objection, if the sentence qua imprisonment of the petitioner is

reduced to the period already undergone by him. Learned counsel for respondent No.2 has also placed on record the affidavit of respondent No.2.

Accordingly, conviction of the petitioner under Section 279, 337 and 338 IPC is maintained. However, sentence qua imprisonment of the petitioner is reduced to the period already undergone by him.

Petition stands disposed of accordingly.

**(SABINA)
JUDGE**

November 26, 2015
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