

**IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH.**

**229**

**CRR-3822 of 2014**

**DATE OF DECISION: September 01, 2015.**

**Puran Singh and others**

**....Petitioners.**

**VERSUS**

**State of Punjab**

**....Respondent.**

**CORAM : HON'BLE MR. JUSTICE SHEKHER DHAWAN**

**Present:** Mr. Navdeep Singh, Advocate for  
Mr. Ajit Singh Sodhi, Advocate  
for the petitioners.

Mr. Varun Sharma, Assistant Advocate General, Punjab.

Mr. A.S. Manaise, Advocate  
for respondent no.2-complainant.

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**Shekher Dhawan, J. (Oral)**

Petitioners challenged the judgment dated 18.11.2014 passed by learned Additional Sessions Judge, Fazilka, whereby judgment of conviction and order of sentence was upheld.

Relevant facts of the case that on 04.11.2011, appellant/accused allegedly caused injuries to Baljinder Singh and he was taken to Civil Hospital, Fazilka. Thereafter he was referred to Guru Gobind Singh Medical Hospital, Faridkot and then to Bansal Hospital, Sri Ganganagar. After investigation, challan was presented in the Court. Learned trial Judge completed proceedings of the trial including framing of charge, recording of statement of accused persons and after considering the prosecution evidence

held all the three petitioners guilty and convicted and sentenced them. After passing of judgment of conviction, petitioners preferred first appeal before Additional Sessions Judge, Falilka and appeal was dismissed and all the petitioners are before this Court.

At the time of arguments, learned counsel for the petitioners as well as learned counsel for respondent/injured took the plea that petitioners are ready to compensate injured Baljinder Singh for his pain and suffering and the present appeal be accepted and both the parties be allowed to lead peaceful life.

Learned counsel for the appellants also contended that learned Courts below awarded sentence of two years rigorous imprisonment to all the three petitioners and against awarded sentence of two years rigorous imprisonment, appellants Harbans Singh and Sawan Singh have already undergone approximately 10 months and petitioner Puran Singh has undergone three months rigorous imprisonment. Learned counsel for the petitioners has come with the plea that petitioners are ready to make payment of Rs.50,000/- as compensation to the injured. Learned counsel for respondent/injured, on instructions from his client Baljinder Singh, present in the Court, took the plea that injured would be satisfied with the amount of compensation and the sentence already undergone be treated as sentence in this case.

Learned State counsel has also not disputed the proposition.

In view of these facts, appeal against judgment of conviction recorded by learned Judicial Magistrate and affirmed by Additional Sessions Judge is without any merit and appeal against judgment of conviction stands dismissed. However, the order of sentence stands

modified to the extent that all the three petitioners shall undergo a period of imprisonment which they have already spent while remaining in custody during investigation trial of the case. They shall be released from custody if they are not required in any other case. They shall make payment of Rs.50,000/- in all to injured/complainant Baljinder Singh as compensation and with this order of modification present appeal disposed of. Payment of Rs.50,000/- made by the petitioners in the Court and same received by Blajinder Singh in the Court. Accused Puran Singh and Sawan Singh who are reported to be, in custody, be released if not required in any other case.

**(SHEKHER DHAWAN)**  
**JUDGE**

**September 01, 2015.**

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