

\$~

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.L.P. 723/2013

%

Judgment dated 09.04.2015

STATE

..... Petitioner

Through: Mr.Feroz Khan Ghazi, APP for State

versus

SUDARSHAN RANGA & ANR

..... Respondent

Through: Mr.Shahid Ali and Mr.Umes Desraj,
Advocates for respondents no.1 and 2

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

G.S.SISTANI, J (ORAL)

1. Present leave to appeal arises out of a judgment dated 19.2.2013 and order on sentence dated 2.3.2013 passed by learned Additional Sessions Judge in the case FIR No.360/2005 registered under Sections 307/354/506/34 of the Indian Penal Code and under Sections 25/27/54/59 of the Arms Act.
2. Respondents are brothers. In this case respondent no.2 (Neeraj Ranga) was acquitted and respondent no.1 (Sudershan Ranga) was convicted and sentenced to the period already undergone i.e. 24 days and also directed to pay compensation of Rs.2.0 lacs, which stands deposited with the court. The parties are neighbours staying within a span of 500 meters. Due to scuffle between the parties, knife injuries were caused to the complainant consequent to which he was removed to the hospital and he was given 21 stitches.
3. Notice was issued in this matter. The respondents are present in Court today. We had also directed the presence of the complainant, who is also present in Court today.
4. We are informed that the families of the parties including complainant

continue to reside at the same place. The complainant as well as the respondents are now married and they have children; and the respondents are working for gain at Hyderabad.

5. The respondents have expressed deep remorse for the acts and we also find from the evidence on record that the incident had occurred at the spur of the moment. The respondents have also unconditionally apologised to the complainant and also stated in Court today that after the incident they have not in any way intimidated the complainant or his family, but to the contrary made several attempts to apologise to the complainant and his family.
6. Counsel for the respondents as also Mr.Sunil Sharma, Advocate, who is also present in Court today, mediated in the matter.
7. Having regard to the entire facts of this case, taking into consideration that the parties are neighbours and the unconditional apology which has been tendered, we modify the order on sentence. The respondents shall deposit an additional amount of Rs.4.0 lacs, as compensation within a period of two months from today.
8. Complainant would be entitled to withdraw the amount of Rs.2.0 lacs already deposited together with the interest accrued thereon forthwith. Complainant is also entitled to withdraw the amount of Rs.4.0 lacs, after the same is deposited.
9. The leave to appeal stands disposed of, in above terms.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

APRIL 09, 2015 ssn