

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Revision No. 109 of 2003

Paras Sao, s/o Late Govardhan Sao, aged about 23 years, r/o village Bhala, PS Ramanujganj, district Surguja (CG)

---- Applicant

Versus

The State of Chhattisgarh, through the District Magistrate, Surguja (CG)

---- Non-applicant

For Applicant	:	Shri AK Prasad, Advocate
For Non-applicant/State	:	Ms Smitha Ghai, Panel Lawyer

Hon'ble Shri Deepak Gupta, Chief Justice
Order on Board

15.07.2016

- 1) In this revision petition, the main prayer is that since the parties had compromised the matter between themselves, the sentence imposed on the accused/Petitioner be reduced to the period already undergone by him.
- 2) Complainant Ghura Kushwaha had filed a complaint against Petitioner - Paras Sao in which it was alleged that the Petitioner had cheated him and had got a forged sale-deed prepared by putting thereon forged thumb impression of Makhiran, father of the complainant.
- 3) It is not in dispute that before the trial Court the matter was settled between the parties.
- 4) As far as offences under Sections 419 and 420 of the IPC are concerned, they are compoundable. It is true that the offences under Sections 467, 468 and 471 of the IPC are not compoundable, but the nature of dispute was very personal between the two parties. The

incident is alleged to have taken place in the year 1996. The trial Court delivered its judgment on 21.09.2001. Thereafter, an appeal was filed and, which was dismissed. The Petitioner has been behind bars for about 32 days. We are now in the year 2016 and twenty years have elapsed since then.

5) At this stage, it would not be judicious or proper to direct the Petitioner to undergo the remaining part of his substantive sentence. Therefore, the substantive sentence imposed upon the Petitioner is modified and he is sentenced to the period already undergone by him.

6) With this modification, the revision petition is partly allowed. The Petitioner is on bail and has already paid the fine amount imposed upon him. Therefore, the bail bonds are discharged.

Sd/-
(Deepak Gupta)
Chief Justice

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