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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRA-S-1864-SB-2003

Date of Decision : November 09th , 2016

Ranjodh Singh and others Appellants

Versus

State of Punjab Respondent

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

Present: Mr. Munish Raj, Advocate,
for the appellants.

Mr. Deepak Garg, AAG, Punjab,
for the respondent-State.

SHEKHER DHAWAN, J.

Present appeal is directed against the judgment of conviction and order of sentence dated 25.09.2001 passed by learned Additional Sessions Judge, Moga whereby appellants, Ranjodh Singh, Gurcharan Singh and Sukhmander Singh, were convicted and sentenced as under:-

Appellant(s)	Under Section	Sentence	In default
1. Ranjodh Singh 2. Gurcharan Singh 3. Sukhmander Singh	452 IPC	to undergo Rigorous Imprisonment for a period of 2 years and to pay a fine of Rs.1000/- each	In default Rigorous Imprisonment for 3 months
Sukhmander Singh	325 IPC	to undergo Rigorous Imprisonment for a period of 2 years and to pay a fine of Rs.1000/-	In default Rigorous Imprisonment for 3 months
1. Ranjodh Singh 2. Gurcharan Singh	325/34 IPC	to undergo Rigorous Imprisonment for a period of 1-1/2 years and to pay a fine of Rs.750/- each	In default Rigorous Imprisonment for 2 months

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Appellant(s)	Under Section	Sentence	In default
Gurcharan Singh	323 IPC	to undergo Rigorous Imprisonment for a period of 3 months and to pay a fine of Rs.200/-	In default Rigorous Imprisonment for 1 month
1. Ranjodh Singh 2. Sukhmander Singh	323/34 IPC	to undergo Rigorous Imprisonment for a period of 2 months and to pay a fine of Rs.100/- each	In default Rigorous Imprisonment for 15 days
Ranjodh Singh	323 IPC	to undergo Rigorous Imprisonment for a period of 3 months and to pay a fine of Rs.200/-	In default Rigorous Imprisonment for 1 month
1.Gurcharan Singh 2. Sukhmander Singh	323/34 IPC	to undergo Rigorous Imprisonment for a period of 2 months and to pay a fine of Rs.100/- each	In default Rigorous Imprisonment for 15 days

2. Relevant facts for the purpose of decision of this appeal; that on 01.09.1999 Ajeet Singh and Sukhdial Kaur were admitted to Civil Hospital Moga and were medico legally examined. After receipt of final medical opinion, accused were arrested along with three co-accused/appellants and after trial Beant Singh, Darshan Singh and Karamjit Kaur were acquitted, whereas appellants were convicted and therefore, the appeal before this Court.

3. After completion of investigation proceedings, challan was presented in the Court for trial.

4. During trial, learned Court below completed various proceedings of trial including framing of charge against the accused, recording of evidence of the witnesses and examination of accused under Section 313 Cr.P.C. After considering the prosecution and the defence evidence on record, the trial Court held the appellants guilty and convicted

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and sentenced them on 25.09.2003.

5. Aggrieved of passing of judgment of conviction and order of sentence, the appellants are before this Court by way of present appeal.

6. At the time of arguments, learned counsel for the appellants submitted that the parties had inter alia entered into compromise and report in this regard was sought from learned trial Judge. Report from learned Additional Chief Judicial Magistrate, Moga, duly forwarded by learned District and Sessions Judge, Moga received affirming the correctness of compromise. However, the Court submitted the report that during pendency of the appeal both injured Ajeet Singh and Sukhdial Kaur had died and Hakam Singh the only son of complainant Ajeet Singh has compromised the matter with the appellants.

7. Learned State counsel has nothing to add to the report submitted by the Court.

8. In view of the above, the report submitted by learned Chief Judicial Magistrate, Moga is accepted and the necessary permission to compound the offence is granted which is in the interest of the justice and so as to give an opportunity to the parties to live peacefully.

9. Resultantly, the present appeal is accepted and the appellants are acquitted of the charge. The judgment of conviction and order of sentence dated 25.09.2003 are set aside.

(SHEKHER DHAWAN)
JUDGE

November 09, 2016

mohan/ komal

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No