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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM No.5957 of 2016 IN/AND
CRA-S-4183-SB of 2013 (O&M)
Date of decision: August 29, 2016**

Jarnail Singh and others

.....Appellants

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. K.G. Chaudhry, Advocate
for the Appellants.

Mr. Shilesh Gupta, Addl. AG Punjab.

Ms. Balpreet Sidhu, Advocate
for the complainant.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

Ms. Balpreet Sidhu, Advocate appears for the complainant.

There is a motion for recording of compromise/compounding for the offences under Sections 307/450/323/148/506 of Indian Penal Code, 1860 and Section 27 of the Arms Act, 1959, for which the appellants were convicted by the trial Judge in the present pending appeal.

Learned counsel for the appellants submitted that the appellant No.1 has undergone the sentence of about 3 years and rest of the appellants have undergone the sentence ranging from 3 months to 9 months. According to the learned counsel for the appellants, the main allegation is against the appellant No.1 who is said to have fired.

There is no dispute about the submissions from the side of the complainant. Learned counsel for the parties before me state that the

complainant party as well as the appellants reside in the same village and with the intervention of others, they have decided to henceforth live in peace and harmony and therefore, desires to compound the present offences. The offences are taken place in the year 2008 and considering the long lapse of time, it would be in the interest of justice, to allow compounding/compromise.

This Court had vide order dated 22.04.2016 directed the Illqa Magistrate, Ludhiana for recording the statements and to verify the genuineness of the proposed compromise. Now this Court has received a report from the concerned Magistrate along with the affidavits and statements and it is stated therein that the compromise arrived at between the parties is genuine. Keeping in mind the ratio in the decision of **Gian Singh vs. State of Punjab and another 2012 (4) RCR (Crl.) 543**, I think the parties should be allowed to compound/compromise.

In that view of the matter, the following order is passed:-

ORDER

- (i) By way of compounding/compromise, the judgment and order dated 22.11.2013 passed by the Additional Sessions Judge, Ludhiana, is set aside upon acceptance of the compromise/compounding proposal.
- (ii) Appeal is disposed of, accordingly.

(A.B. CHAUDHARI)
JUDGE

August 29, 2016

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No