

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M 21347 of 2013 (O&M)

Date of decision: 16.02.2016

Bhagat Singh and others

.....Petitioners

versus

State of Haryana and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Sudhir Sharma, Advocate for
Mr.Gagan Chabbra, Advocate for the petitioners
Mr.Maheshinder Singh Sidhu, Addl.A.G. Haryana

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

The petitioners have filed the present petition under Section 482 Cr.P.C. for quashing of FIR No.523 dated 8.9.2002 registered under Sections 148, 149, 323, 325, 452, 506 IPC at Police Station Sadar, Gurgaon (Annexure P1) and the consequential proceedings.

Report received from the learned Additional Sessions Judge, Gurgaon. Learned Additional Sessions Judge, Gurgaon has recorded the statements of the complainant, victim as well as the accused and has reported that the parties have entered into compromise. It is further reported that the compromise is genuine and without any pressure.

It comes out that the petitioners were convicted by the learned Additional Chief Judicial Magistrate, Gurgaon for commission of offence punishable under Sections 148, 323, 325, 452 and 506 IPC read with Section 149 IPC for allegedly causing simple and grievous injuries and committing house tress-pass. Out of these offences, offence punishable under Section 452 IPC is not compoundable. Since the main offences for causing injuries have been lawfully compounded, therefore, the offence punishable under Section 452 IPC also stands compounded.

In view of the fact that the parties have effected compromise, the judgment of conviction dated 18.2.2012 and order of sentence dated 25.02.2012 passed by the learned Additional Chief Judicial Magistrate, Gurgaon stands quashed, the petitioners are acquitted and FIR No.523 dated 8.9.2002 registered under Sections 148, 149, 323, 325, 452, 506 IPC at Police Station Sadar, Gurgaon (Annexure P1) and the consequential proceedings stands quashed.

The petition stands allowed accordingly.

16.02.2016

gk

(Kuldip Singh)
Judge