

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

**CRR No.1146 of 2007(O&M)
Date of Decision : 25.4.2016**

Pransukh and another

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE GURMIT RAM

Present: Mr. Parduman Yadav, Advocate
for the petitioners.

None for the respondent – State.

Mr. Sudesh Kumar, Advocate
for the complainant/injured Leela Wati (Leela Devi) and
Kaushalya.

GURMIT RAM, J.

Mr. Sudesh Kumar, Advocate has filed power of attorney on
behalf of complainants/injured - Leela Wati (Leela Devi) and Kaushliya
Devi, which is taken on record.

2. Learned State counsel had produced copy of death certificate
of petitioner No.1 – Pransukh on the last date of hearing which shows that
this petitioner has expired on 7.2.2010. **So proceedings of this revision
qua him (Pransukh) stand abated.** Now the proceedings remain
against petitioner No.2 – Mahender Singh only for the purpose of

disposal of this revision petition.

3. Both the complainant/injured namely Leela Wati (Leela Devi) and Kaushliya Devi have appeared in the Court today and suffered joint statement to the effect that during pendency of the revision, the matter has been compromised between the parties vide compromise deed Annexure P-1 dated 28.3.2016 and they have no objection, if this revision petition be disposed of in terms of this compromise which bears the thumb impressions of Leela Wati (Leela Devi) - complainant. Further they have also filed their respective affidavits Annexure P2/A and Annexure P3/A to support the assertion that compromise has been effected between the parties. So this compromise Annexure P-1 and affidavits Annexure P2/A and Annexure P3/A are taken on record.

4. As per the record, vide judgment dated 17.12.2002 passed by the learned Chief Judicial Magistrate, Rewari, petitioner No.2 – Mahender Singh along with petitioner No.1 Pransukh (since expired) was held guilty in this case for the offences punishable under Sections 323 and 325 read with Section 34 of the IPC in criminal case bearing FIR No.67 dated 17.2.1998, Police Station Sadar, Rewari and awarded them sentences of imprisonment and fine as well. The appeal filed by the present revision-petitioner along with petitioner No.1 – Pransukh (since expired) against the said judgment of conviction was dismissed by the Court of learned Additional Sessions Judge, Rewari vide judgment dated 14.7.2007, which necessitated to file the instant revision.

5. Offence under Section 323, IPC, is compoundable with the consent of the complainant, whereas offence under Section 325, IPC, is

compoundable by the complainant, but with the permission of the Court. As per the record, both the parties are residents of one and the same village and now they are living peacefully without having any grudge against each other. Compromise is the best method to eradicate the enmity between the parties for all time to come. So, accordingly, permission is granted to compound the offence under Section 325, IPC, also.

6. So in view of the above, this revision petition stands accepted and disposed of as having been compromised. Consequently, impugned judgments passed by learned both the Courts below are set aside. Petitioner No.2 – Mahender Singh stands acquitted of the charges under Sections 323 and 325 read with Section 34 of the IPC. Fine, if any, deposited by the accused (petitioners – herein) be refunded against proper receipt and identification. Since petitioner No.1 - Pransukh (accused) had expired, so the fine qua him be refunded to his LRs as per law.

A copy of this order be sent to the quarter concerned for strict compliance.

(GURMIT RAM)
JUDGE

25.4.2016
Brij