

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

Crl. Misc. M 6195 of 2016 (O&M)  
Date of decision: 26.8.2016

Daljit Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondent

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

Present: Mr. JS Gill, Advocate,  
for the petitioners.

Ms. Rimpaljit Kaur, AAG, Punjab.

**A. B. CHAUDHARI, J. (Oral)**

Rule.

Heard forthwith.

The petitioners were convicted for the offences under Section 326/324/323/34 IPC by the learned Sub Divisional Judicial Magistrate, Mukerian. They preferred an appeal before the Sessions Judge against their conviction and the appeal is pending for consideration before him.

In the meanwhile, the complainants as well as the petitioners had entered into a compromise in order to buy peace and harmony, as contended by the learned counsel for the petitioners.

Further learned counsel for the petitioners has drawn my attention to the affidavits Annexures P/2 to P/4 of the complainants. The complainants are parties to this petition as respondents No. 2 to 4 and notice of motion was issued to them by this Court on 23.2.2016.

Office reports that respondents have been served. Despite service, there is no appearance on their behalf. On the last date, namely July 11, 2016, learned counsel for the State, in the above situation, was called upon to verify whether compromise has been effected or not. Today counsel for the State, on instructions from ASI Paramjit Singh, makes a statement that indeed a compromise has been arrived at between the parties.

In that view of the matter, looking to the agreement on record and nature of the dispute, namely, cross case regarding quarrel and assault, I think the petitioners should be allowed to compound the offence in question in the light of the decision of the three Judges Bench judgment in Gian Singh Versus State of Punjab (2012 (4) RCR (Crl.) 543.

Consequently, by way of compromise, the judgment of the trial court convicting the petitioner will have to be quashed by way of compounding of the offences.

In the result, order dated 3.3.2015 passed by the Sub Divisional Judicial Magistrate, Mukerian is quashed. The proceedings before the Sessions Court in appeal are held to be infructuous. The petitioners to file this order before the Sessions Judge to get the appeal disposed of.

The present petition stands disposed of accordingly.

**26.8.2016**  
**prem**

**( A. B. CHAUDHARI )**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No-