

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Revision No. 1707 of 2015

Sumitra

... Petitioner

versus

State of Haryana

... Respondent

Crl. Revision No. 1948 of 2015

Krishan Kumar

... Petitioner

versus

State of Haryana

... Respondent

Crl. Revision No. 1960 of 2015

Sita Ram

... Petitioner

versus

State of Haryana

... Respondent

Date of decision : 01.02.2016

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. J.S. Mehndiratta, Advocate
for the petitioner (in CRR Nos. 1707 & 1960 of 2015)

Mr. Ravinder Phogat, Advocate
for the petitioner in CRR No. 1948 of 2015

Ms. Dimple Jain, AAG Haryana

Mr. V.P. Sangwan, Advocate for the complainant

Petitioners and complainant are present in person

ANITA CHAUDHRY, J.(ORAL)

1960 of 2015.

Through the instant petitions, the petitioners have laid challenge to the judgments of conviction and sentence passed by the Courts below in FIR No. 233 dated 13.01.2007, under Sections 498-A, 406 and 506 IPC read with Section 34 IPC registered at Police Station Badhra.

The accused were tried for the charge under Sections 498-A, 406 and 506 IPC read with Section 34 IPC . On the basis of evidence adduced by the prosecution in the shape of testimonies, the accused were held guilty under Sections 498-A and 406 IPC. They were substantively sentenced to undergo simple imprisonment for a period of 3 years and to pay fine of Rs. 2000/- each under Section 498-A IPC and simple imprisonment for 1 year under Section 406 IPC. The sentences were ordered to run concurrently.

The appeal filed by the petitioners was dismissed by the Addl. Sessions Judge, Bhiwani vide judgment dated 22.04.2015.

Dis-satisfied with the same, instant revision petition was filed by the petitioner challenging their conviction. Compromise, Annexure P-4 has also been annexed with the petition alleging that now the parties have mutually settled the matter before the Court below in a petition filed under Section 13-B (1) of the Hindu Marriage Act. Rs. 5,00,000/- has already been paid to the complainant in the first motion.

Complainant is present in the Court and Rs. 5,00,000/- has been paid to her in the Court today and she states that she has no objection if the petitioners are acquitted.

Learned counsel for the petitioners urges that the sentence of the petitioners have already been suspended by this Court vide order dated 29.06.2015.

Learned counsel for the complainant has reiterated that the complainant has compromised the lis.

The complainant and the accused have amicably settled their dispute. There is no legal impediment in granting permission to them to compound the offence. The compromise effected between the parties is accepted. The revision petitions are allowed. The judgment of conviction and sentence passed by the Courts below are set aside and the petitioners are acquitted of the charges.

February 01, 2016

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**(ANITA CHAUDHRY)
JUDGE**