

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

Criminal Revision No.107 of 2016(O&M)

Date of decision: 14.03.2016

Din Dayal Sachdeva

----Petitioner (s)

V/s

State of Punjab & another

-----Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Mohit Jaggi, Advocate for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

Mr. Surjit Singh Swaich, Advocate for
complainant/respondent No.2-Harjinder Singh.

HARI PAL VERMA, J.(Oral)

Criminal Misc. No.7105 of 2016

Prayer made in the present application is for impleading the complainant, namely, Harjinder Singh son of Avtar Singh, resident of House No.1017, Sector 70, Mohali, Tehsil and District Mohali, as respondent No.2.

For the reasons stated in the application, the same is allowed and complainant, namely, Harjinder Singh son of Avtar Singh, resident of House No.1017, Sector 70, Mohali, Tehsil and District Mohali, is ordered to be impleaded as respondent No.2.

Amended memo of parties is taken on record.

CRM stands disposed of.

Criminal Revision No.107 of 2016

Petitioner, namely, Din Dayal Sachdeva, has filed the present petition against the judgment dated 04.01.2016 passed by learned Addl. Sessions Judge, SAS Nagar, Mohali, whereby, his appeal against judgment and order of sentence dated 15.01.2013 passed by learned Chief Judicial Magistrate, SAS Nagar, Mohali, was dismissed.

Vide judgment and order of sentence dated 15.01.2013, the learned trial Court held the petitioner guilty of offence punishable under Section 420 IPC and vide separate order of even date, sentenced him to undergo rigorous imprisonment for one year and to pay a fine of Rs.10,000/-

Against the said judgment and order of sentence dated 15.01.2013, the petitioner filed an appeal before the learned Addl. Sessions Judge, SAS Nagar, Mohali and the same was also dismissed.

Thereafter, the petitioner has approached this Court through the present revision petition and it is after the filing of the present revision petition, the parties have entered into a compromise.

Learned counsel for the petitioner contends that in view of the compromise arrived at between the parties and having recourse to the provisions of Section 320(6) Cr.P.C., the matter in dispute is liable to be compounded.

Section 320(6) Cr.P.C. reads as under:-

“A High Court or Court of Session acting in the exercise of its powers of revision under section 401

may allow any person to compound any offence which such person is competent to compound under this section.”

The learned State counsel does not dispute the factum of compromise entered between the parties.

Mr.Surjit Singh Swaich, Advocate has put in appearance on behalf of complainant/respondent No.2-Harjinder Singh and filed Power of Attorney in Court, which is taken on record. He admits the factum of compromise effected between the parties.

Heard.

Admittedly, the offence under Section 420 IPC is compoundable by the person cheated, with the permission of Court.

In view of the admitted position that the matter has been compromised between the parties and having recourse to the provisions of Section 320(6) Cr.P.C., the present petition is allowed and judgement and order of sentence dated 15.01.2013 passed by learned Chief Judicial Magistrate, SAS Nagar, Mohali, as well as judgment dated 04.01.2016 passed by learned Addl. Sessions Judge, SAS Nagar, Mohali, are set aside and the petitioner is acquitted of the charges framed against him.

14.03.2016
Anjal

[HARI PAL VERMA]
JUDGE