

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR-3875-2016 (O&M)
Date of decision: 07.12.2016

Nand Lal @ Nandi and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Gitish Bhardwaj, Advocate for the petitioner(s).

Mr. Pawan Garg, AAG, Haryana.

Mr. R.S. Dhull, Advocate,
for the complainant.

Jitendra Chauhan, J.

By filing the present criminal revision, the petitioners have assailed judgment dated 20.09.2016, passed by learned Additional Sessions Judge, Karnal, affirming judgment/order dated 03/07.10.2013, passed by Judicial Magistrate 1st Class, Karnal, convicting them under Section 323 read with Section 34 of the Indian Penal Code and sentencing them to undergo simple imprisonment for a period of 01 years and to pay fine of Rs.1,000/- each along with default clause.

Learned counsel for the petitioners contends that he does not wish to argue the present petition on its merits and prays that some lenient view be taken in the matter of sentence as the petitioners are the sole bread earners of their families and the matter stands compromised between the

parties.

The complainant is present in person. He admits the factum of the compromise and states that he would have no objection, in case, the prayer made is accepted.

As per the custody certificates filed today in the Court, petitioner-Nand Lal @ Nandi has already undergone 01 month and 26 days, whereas, petitioner Jaswant Singh @ Kaka has already undergone 02 months and 04 day, out of the substantive sentence of 01 year. A further perusal of the custody certificates reveals that the petitioners are not involved in any other case.

Keeping in view the fact that the matter stands amicably settled between the parties and the petitioners are not involved in any other case, the prayer made on behalf of the petitioners is accepted and the sentence of imprisonment of petitioners is reduced from 01 year to the period already undergone by them, under Section 323 read with Section 34 IPC, subject to payment of enhanced fine of Rs.15,000/-, to be paid to the complainant as compensation, within a period of three months from the date of receipt of a certified copy of this order. The petitioners are stated to be in custody. They be released forthwith, if not required in any other case.

Ordered accordingly.

However, it is made clear that in case, the amount is not paid within the stipulated period, the present revision petition shall be deemed to have been dismissed, without further notice.

07.12.2016

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(JITENDRA CHAUHAN)

JUDGE

Whether speaking / reasoned : Yes No

ATUL SETHI
2016.12.09 16:57
I attest to the accuracy and
authenticity of this document
Chandigarh

Whether Reportable :	Yes	No
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