

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRR No.891 of 2015 (O&M)

Date of decision: 14.01.2016

Shamsher Singh and another

.....Petitioners

versus

State of Punjab and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Bikramjit Singh Bajwa, Advocate for the petitioners
Mr.Ashish Sanghi, DAG Punjab
Mr.Amrit Singh -complainant/respondent No.4 in person

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

In pursuance to the directions of this Court, Mr.Amrik Singh- complainant has put in appearance. He has brought the original Adhar Card and Voter's Identity Card, issued by the Election Commission of India. Photostat copies of the same are taken on record, which show that he is the same person, who is complainant in this case.

Mr.Amrik Singh has stated that he is ready to compound the offence with the accused provided Rs.1,80,000/- are paid to him. The sum of Rs.1,80,000/- is lying deposited with this Court. The petitioner was convicted by the learned Additional Chief Judicial Magistrate, Pathankot vide judgment and order dated 7.2.2014 for the

offence punishable under Sections 420 and 120B IPC on the allegation that Rs.1,80,000/- were paid to the accused for arranging Visa and that the complainant has been cheated. Appeal filed by the petitioner was dismissed by the learned Sessions Judge, Pathankot vide judgment dated 18.2.2015.

Offence under Section 420 IPC is compoundable with the permission of the Court. Offence under Section 120B IPC has arisen out of the same transaction.

Since the complainant is ready to compound the offence with the accused, therefore, permission is granted to compound the offence with the accused. Since the offence has been lawfully compounded, the revision is allowed, judgment and order dated 7.2.2014, passed by the learned Additional Chief Judicial Magistrate, Pathankot, convicting and sentencing the petitioner and judgment dated 18.2.2015, passed by the learned Sessions Judge, Pathankot, dismissing the appeal of the present petitioner are set aside and the accused stands acquitted of the charges framed against him on account of composition of the offences. Rs.1,80,000/- lying deposited with this Court be disbursed to the complainant – Amrik Singh by transferring the same in his Bank Account on production of the identity proof. Mr.Amrik Singh -complainant is directed to furnish his identity proof and Bank Account Number before the Registry of this Court.

14.01.2016
gk

(Kuldip Singh)
Judge