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

CRA-S-381-SB-2007 (O&M)

Date of Decision: 06.12.2017

Balbir Kumar

..... Appellant

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Sandeep Arora, Advocate,
for the applicant-appellant.

Mr. Hittan Nehra, Addl. AG, Punjab.

Mr. G.S. Rawat, Advocate,
for respondent No.2/complainant.

SUDIP AHLUWALIA J. (ORAL)

CRM-25758-2017

Vide this application, the applicant-appellant seeks compounding the offence under Section 323 of the IPC under which he has been convicted by the Ld. Additional Sessions Judge (Adhoc), Jalandhar, on the basis of compromise entered between the parties.

On oral request of Ld. Counsel for the parties, the main appeal is taken up on board for final disposal.

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The appeal was originally filed after the applicant-appellant was convicted by the Court of Additional Sessions Judge (Adhoc), Jalandhar in Sessions Case No.109/2003 on 20.01.2007. The conviction was under Section 323 of the IPC.

[2]. Thereafter, the applicant-appellant prayed for compounding the aforesaid offence. Consequently, on 23.10.2017, this Court directed the

parties including the complainant/victim to appear before the Trial Court/Illaqa Magistrate, who was required to send up his report about the veracity of the compromise.

[3]. Such report has since been received. The offence under Section 323 of the IPC is compoundable.

[4]. In the circumstance, the judgment on conviction stands quashed and the applicant-petitioner is acquitted under Section 320(8) of the Cr.P.C.

[5]. The appeal is, accordingly, disposed off.

06.12.2017

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No