

226-A

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRA-S No. 1166-SB of 2013 (O&M)
Date of Decision: 27.10.2017

Parkash Singh and others

..... Appellants

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Onkar Singh, Advocate,
for the appellants.

Mr. Luvinder Sofat, Assistant Advocate General, Punjab.

Mr. Ashok Bhardwaj, Advocate,
for respondent No. 2.

SUDIP AHLUWALIA, J. (ORAL)

In this appeal, the appellants, who are accused in F.I.R. No. 29, dated 30.06.2005, under Sections 452/325/323/324/148/149 of the Indian Penal Code, registered at Police Station Narot Jaimal Singh, have prayed for setting aside the judgment of conviction passed by the Court below on the basis of compromise.

[2]. The appellants were convicted of the offences under Sections

148, 149, 323, 324, 325 and 452 of the Indian Penal Code and were sentenced accordingly. All the sentences were ordered to run concurrently. The present appeal has been filed, since the parties concerned have arrived at a settlement. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Judicial Magistrate Ist Class, Pathankot, vide report dated 21.10.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondent No. 2 is represented by his counsel.

[4]. In view of the report of the Judicial Magistrate Ist Class, Pathankot, and in view of the decision of the Hon'ble Supreme Court in **“Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543** and **“Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466**, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainants have themselves compromised the dispute with the appellants/ accused persons.

[5]. In the circumstances and in view of the decisions of the Supreme Court in **“Gulab Das Vs. State of M.P.”, 2012 (1) R.C.R. (Criminal) 220** and **“Mukesh Kumar Vs. State of Rajasthan”, 2013 (11) S.C.C. 511**, while sustaining conviction of the appellants for the offences under Sections 148, 149, 323, 324, 325 and 452 of the Indian Penal Code, the matter is disposed off with a direction that no further sentence needs

to be suffered by them nor any fine needs to be paid, apart from the sentence already undergone by them.

27.10.2017

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No
2. Whether reportable : Yes/ No