

**CRM-29484-2016 in/and
CRA-S-4791-SB-2014 (O&M)**

-1-

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

**CRM-29484-2016 in/and
CRA-S-4791-SB-2014 (O&M)
Date of Decision:- 22.02.2017**

Narender and another

....Appellants

Versus

State of Haryana

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Deepender Singh, Advocate,
for the applicants-appellants.**

Ms. Mahima Yashpal, AAG, Haryana.

RITU BAHRI, J. (Oral)

With the consent of the parties, the main appeal is taken up today itself.

Present appeal has been filed against judgment of conviction dated 30.10.2014 and order of sentence dated 01.11.2014, passed by the learned Additional Sessions Judge, Gurgaon whereby the appellants have been convicted and sentenced to undergo rigorous imprisonment under Sections 498-A, 406 and 328 IPC for a period of 3 years.

Learned counsel for the appellants submits that the appellants have been convicted, vide judgment of conviction dated 30.10.2014 and

order of sentence dated 01.11.2014, passed by the learned Additional Sessions Judge, Gurgaon. Now during the pendency of present appeal, both the parties have compromised the matter with the intervention of the respectables of society, vide compromise dated 25.04.2016 (Annexure A-1).

Vide order dated 19.12.2016, this Court has directed the parties to appear before the CJM, Gurgaon on 23.01.2017 and the CJM, Gurgaon shall record the statement of all the affected parties and send a report to this Court whether the compromise has been arrived at between the parties or not and whether is voluntary.

In compliance of order dated 19.12.2016 of this Court, the report of Chief Judicial Magistrate, Gurugram, dated 01.02.2017 has been received. As per the report, the statements of all the concerned parties have been recorded and the compromise reached between them is out of their own free will and the same is not affected by any sort of pressure or coercion. Statements of the appellants and complainant have been recorded to the same effect.

Consequently, in view of the above-said report and in view of the judgments of the Hon'ble Supreme Court in **Dr. Arvind Barsaul etc. Vs. State of Madhya Pradesh and another, 2008(2) RCR (Criminal) 910**; the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and Ors. vs. State of Punjab and another, 2007(3) RCR (Crl.) 1052**; and in view of judgment of this Court in case of **Lal Chand Vs. State of Haryana, 2009(5) RCR (Crl.) 838**, no useful purpose would be served in prolonging the litigation.

Accordingly, the present appeal stands accepted, the judgment of conviction dated 30.10.2014 and order of sentence dated 01.11.2014, passed by the learned Additional Sessions Judge, Gurgaon is set aside and the appellants/accused stands acquitted in view of compromise dated 25.04.2016 (Annexure A-1).

A copy of the judgment be sent to trial Court for compliance.

February 22, 2017
naresh.k

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No