

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

213

**CRA-S-500-SB-2014(O&M)
Date of decision: 07.09.2017**

Balwinder Singh @ Binder and Others

...Appellants

Vs.

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Harchand Singh Batth, Advocate
for the applicants-appellants.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

Mr. J.S. Dhaliwal, Advocate
for the complainant.

SUDIP AHLUWALIA, J.(ORAL)
CRM No. 39523 of 2016

This is application for impleadment of complainant i.e. Amrit Pal Singh as respondent No. 2.

For the reasons stated in the application the same is allowed. Mr. Amrit Pal Singh is impleaded as respondent No. 2.

CRM No. 39524 of 2016

Vide this application, the applicants-petitioners have prayed for grant of permission to compound the offences, in view of compromise and for modification of sentence awarded by the learned trial Court.

The complainant is represented by his counsel who admits the factum of compromise.

Main Case

Custody certificate of the applicant-appellant/Balwinder Singh @ Binder has been placed on record by the learned State counsel in compliance of the earlier order passed on 16.03.2017.

It transpires that applicant-Balwinder Singh @ Binder has

undergone imprisonment for 1 year, 3 months and 20 days, while the other convicts have remained in similar detention for different duration's but exceeding 7 months in each case.

The matter has been amicably compromised between the applicants-appellants and victim/complainant-Amrit Pal Singh as was noted by the coordinate Bench in the previous order.

It is also seen from the impugned judgment that the injuries actually cause to the victim were all in simple nature.

In the given circumstances, this does appear to be a fit case to release the applicants at this stage in allowing their applications.

The appeal is, therefore, disposed off by modifying the impugned judgment. Conviction of the petitioners is sustained but the sentence awarded to reduce the term already undergone.

September 07, 2017
Poonam (II)

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/ reasoned: Yes

Whether Reportable: No