

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

**CRM No.13765 of 2016 in/and
CRR No.54 of 2008
Date of Decision: March 29, 2017**

Major Singh

...Petitioner

Versus

Suresh Kumar and another

...Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. S.K. Arora, Advocate
for the petitioner.

Mr. G.S. Bains, Advocate
for Mr. Vijay Sharma, Advocate
for respondent No.1.

Mr. J.S. Brar, AAG, Punjab
for respondent No.2/State.

FATEH DEEP SINGH, J.

CRM No.13765 of 2016

Reply filed on behalf of State in the Court today is taken on record, whereby, it has been duly conceded which is commensurate with the stand of the learned counsel for the applicants that the complainant Suresh Kumar has died on 12.3.2015 which is duly supported by death certificate of the complainant and that the applicants Suman Rani, Tamanna Rani and Nishant are the only legal heirs of the complainant being wife and two children born out of the wedlock.

In the light of the stand of the respondent side and

keeping in view that they do not oppose the prayer of the applicants and in the interest of justice, application stands allowed. The applicants/legal heirs of the deceased/complainant are ordered to be impleaded as Legal representatives of the respondent. Amended memo of parties already placed on record.

CRM stands disposed off.

CRR No.54 of 2008 (O&M)

Legal representatives of the respondent along with their counsel and petitioner/Major Singh with his counsel, who are present in person have vouched that a compromise have been effected between the parties by virtue of Annexure P/1, whereby, complainant side has been adequately compensated and they do not have any grouse and nor do they object to allow the application for compounding of offence and that their grievances have already been redressed.

In the light of the same and in view of the fact that it is a pure dispute over money and in view of the law laid down by the Division Bench of this Court in '**Sube Singh and another v. State of Haryana and another**' 2013(4) RCR (Criminal) 102 and by the Hon'ble Apex Court in **2012(10) SCC 303 titled as 'Gian Singh v. State of Punjab and another'** and **2014(6) SCC 466 titled as 'Narinder Singh and others v. State of Punjab and another and 2004 (2) Apex Court judgments 581 Anil Kumar Haritwal vs. Alka Gupta** parties are allowed to compound the offences. Thus, the judgment of conviction dated 11.11.2006 passed by learned Judicial Magistrate, 1st Class, Samana which has merged into judgment dated 18.12.2007 of learned Appellate Court of learned

Additional Sessions Judge, (Adhoc), Patiala are hereby set aside and offences are allowed to be compounded.

Revision petition stands disposed off.

(FATEH DEEP SINGH)
JUDGE

Match 29, 2017

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No