

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR 1224-2009(O&M)
Date of decision: 21.11.2017

Santokh Singh and others

.....Petitioners

versus

State of Haryana

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Arvind Kashyap, Advocate for the petitioners
Mr.Ramesh Kumar Ambavta, AAG Haryana

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Petitioner was convicted by the Courts below under Sections 323, 325, 447 read with Section 34 IPC and sentenced to undergo Rigorous Imprisonment for two months under Section 447 IPC, four months under Section 323 IPC and four months under Section 325 IPC in addition to fine of Rs.1500/- (Rs.500 for each offence). In default of payment of fine, to further undergo Simple Imprisonment for one month. All the sentences were directed to run concurrently. Appeal filed by the petitioners was dismissed by the lower Appellate Court below vide judgment dated 8.5.2009.

Before this Court, compromise dated 23.2.2017 (Annexure P1) was filed and it was stated that the parties have compromised the matter. Report of the lower Court was called for. Learned Sub Divisional Judicial Magistrate, Kalka submitted the report that the parties have compromised and amicably settled the dispute. Compromise is without any pressure.

Offence under Section 323 and 447 IPC is compoundable without the permission of the Court, whereas, offence under Section 325 IPC is compoundable with the permission of the Court.

In view of the fact that the parties have compromised the matter, permission is granted to compound the above said offences. Since, all the offences have been lawfully compounded, therefore, judgment dated 8.5.2009 passed by learned Additional Sessions Judge, Panchkula and judgment of conviction and order of sentence dated 20.2.2009 passed by learned Judicial Magistrate First Class, Panchkula are hereby set aside and the petitioners stand acquitted of the charges framed against them. Bail bonds and surety bonds of the petitioners stand discharged.

Revision petition is accordingly allowed.

21.11.2017

gk

**(Kuldip Singh)
Judge**

Whether speaking/ reasoned: Yes

Whether Reportable: No