

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

CRR No.2251 of 2010 (O&M)
Date of decision : December 04, 2017

Babu Singh and others **Petitioners**

Versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Ajay Aggarwal, Advocate for
Mr. Dinesh Goel, Advocate for the petitioners.

Ms. Monika Jalota, DAG, Punjab.

Mr. Harpal Preet Singh Chopra, Advocate for the complainant.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

The present petitioners were convicted and sentenced by the learned Judicial Magistrate 1st Class, Sunam, vide judgment of conviction and order of sentence dated 01.03.2006 as under:

<i>Name of the accused</i>	<i>Offence</i>	<i>Imprisonment</i>	<i>Fine</i>	<i>In default of payment of fine</i>
Babu Singh	325 IPC	R.I. for 9 months	Rs.500/-	R.I. for 1 month
	323 r/w 34 IPC	R.I. for 3 months	--	--
	323 IPC	R.I. for 3 months	--	--
Shingara Singh	324 r/w 34 IPC	R.I. for 9 months	Rs.500/-	R.I. for 1 month
	323 IPC	R.I. for 3 months	--	--
	323 r/w 34 IPC	R.I. for 3 months	--	--
Isher Singh	325 r/w 34 IPC	R.I. for 9 months	Rs.500/-	R.I. for 1 month
	323 r/w 34 IPC	R.I. for 3 months	--	--
	323 IPC	R.I. for 3 months	--	--
Satgur Singh	325 r/w 34 IPC	R.I. for 9 months	Rs.500/-	R.I. for 1 month
	323 r/w 34 IPC	R.I. for 3 months	--	--
	323 IPC	R.I. for 3 months	--	--

All the sentences were directed to run concurrently.

However, in appeal, learned Sessions Judge, Sangrur, vide judgment dated 06.08.2010 acquitted accused Satgur Singh for the commission of offence punishable under Section 323 IPC, while the remaining part of the sentence was maintained.

I have heard learned counsel for the parties and have also carefully gone through the case file.

Before this Court, the parties have entered into compromise. The report of learned Judicial Magistrate 1st Class, Sunam was called for.

The report of learned Judicial Magistrate 1st Class, Sunam has been received. Learned Magistrate has recorded the statements of injured Baldev Singh, Bant Kaur and Amarjit Kaur. He also recorded the statements of the accused-petitioners. It is recorded that the parties have compromised the matter and the said compromise is without any inducement, threat, promise, coercion or undue influence from any quarter and is genuine one.

Since the matter has been compromised between the parties, therefore, the petitioners are granted permission to compound the offences punishable under Sections 324 and 325 IPC, whereas the offence punishable under Section 323 IPC is compoundable without the permission of the Court.

As the offences have been lawfully compounded, therefore, the judgment of conviction and order of sentence dated 01.03.2006 passed by learned Judicial Magistrate 1st Class, Sunam and the judgment dated 06.08.2010 passed by learned Sessions Judge, Sangrur, are hereby set aside. The petitioners are acquitted of the charges framed against them. Their bail bonds and surety bonds stand discharged.

As such, the present revision petition is allowed.

December 04, 2017

sarita

Whether speaking / reasoned

Whether Reportable:

(KULDIP SINGH)

JUDGE

Yes

No