

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

CRM-M-8244-2017 (O&M)
Date of decision :14.07.2017

Rajesh

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Amit Singla, Advocate for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

Ms. Harpreet Kaur, Advocate for
Mr. Gaurav Mannan, Advocate
for respondent No.2/complainant.

SUDIP AHLUWALIA, J. (Oral)

In this petition, the petitioner, who is the accused person in FIR No.766 dated 23.08.2014 under Sections 452, 323 and 506, IPC, of Police Station Sadar, Hisar, has prayed for setting aside the judgment of conviction dated 12.08.2016 (Annexure P-2) on the basis of compromise (Annexure P-1) arrived at between the parties.

Earlier vide order dated 17.03.2017, this Court had referred the parties to the concerned appellate Court for the purpose of verifying the factum of compromise relied upon by the petitioner.

Report of the Ld. Additional Sessions Judge, Hisar has since been received alongwith copies of the statements of the parties recorded by him, from which it transpires that the compromise arrived at between the parties, i.e., the complainant and the convict side appears to be genuine and they have resolved their dispute by way of amicable settlement.

In view of the decision of the Hon'ble Supreme Court in Gian Singh Vs. State of Punjab and another, 2012(4) RCR (Criminal) 543 and Narinder Singh and others Vs. State of Punjab and another, (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping the criminal proceedings pending since the victim has himself compromised the dispute with the petitioners/accused persons and has signed the compromise deed and has furnished an affidavit to this effect.

In the circumstances, the present petition is allowed. The judgment of conviction dated 12.08.2016 (Annexure P-2) on the basis of compromise (Annexure P-1) arrived at between the parties, is hereby set aside, in FIR No.766 dated 23.08.2014 under Sections 452, 323 and 506, IPC, of Police Station Sadar, Hisar.

The pending application, if any, shall also render disposed of by the disposal of this petition.

14.07.2017
sheetal

(SUDIP AHLUWALIA)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No