

245

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 2874 of 2016 (O&M)

Date of Decision: 25.05.2017

Rajinder Singh

.....Petitioner

Vs

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. D.S. Virk, Advocate,
for the petitioner.

Mr. Pradeep Prakash Chahar, D.A.G., Haryana.

Mr. Vikas Bishnoi, Advocate,
for respondent No. 2.

RAJ MOHAN SINGH, J.(Oral)

CRM No.15481 of 2017:

For the reasons mentioned in the application, the
same is allowed. The case is taken up for rehearing today itself.

Application stands disposed of.

CRR No. 2874 of 2016:

This revision petition has been directed against the judgment dated 05.07.2014, passed by the Additional Sessions Judge, Patiala, vide which decision of the trial Court dated 03.11.2011 in the context of conviction and sentence was upheld.

The revision petition was dismissed on the ground of limitation vide order dated 05.09.2016 by this Court, against which S.L.P. (Criminal) was preferred.

Order dated 05.09.2016, passed by the High Court was set aside and the case was remanded for rehearing on the ground that co-accused Sunil Kumar was successful in getting the proceedings quashed on the basis of compromise after making payment to MARKFED.

CRM No. 15481 of 2017 has been preferred by the petitioner in compliance of order dated 01.05.2017, passed by the Hon'ble Supreme Court and for acquittal of the petitioner in the light of the payment having been made by the petitioner and

co-accused Sunil Kumar in the favour of complainant MARKFED.

Vide order dated 19.05.2017, learned State counsel was directed to inform the MARKFED in the context of compromise and also to call a responsible person from the Federation for today.

Today, Mr. Vinod Kumar, District Manager, MARKFED, Patiala, has appeared in the Court along with Mr. Vikas Bishnoi, Advocate.

Learned counsel for complainant- MARKFED, on instructions from Vinod Kumar, admitted the factum of compromise and receipt of entire payment from the petitioner and co-accused Sunil Kumar.

Since the petitioner was convicted for an offence under Section 406 I.P.C. and the offence is compoundable in nature at the instance of the owner of the property, in respect of which breach of trust has been committed, i.e. the MARKFED, therefore, I deem it appropriate to dispose of the revision petition

as compounded between the parties as a consequence of
aforesaid compromise.

Let the petitioner be released from custody forthwith.

The aforesaid composition of the offence shall have
the effect of an acquittal of the petitioner in terms of
Section 320 (8) Cr.P.C.

Disposed of.

May 25, 2017

Apurva

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No