

220-3 and 220-4

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR No. 4694 of 2015 (O&M)
Date of Decision: 13.09.2017

SUNIL KUMAR AND ANOTHER

...Petitioners

VS.

STATE OF PUNJAB

...Respondents

CRR No. 4940 of 2015 (O&M)

GURMUKH CHAND AND OTHERS

...Petitioners

VS.

STATE OF PUNJAB

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH.

Present: Mr. R.K. Girdhar, Advocate,
 for the petitioners in both the revisions.

Mr. C.L. Pawar, Sr. DAG, Punjab.

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)

By this single order, I will dispose of above mentioned two connected revision petitions bearing CRR No. 4694 and 4940 of 2015 arising out of the similar facts.

The present petitioners in both the criminal revisions alongwith some other accused were convicted and sentenced by the Chief Judicial Magistrate, Fazilka under Sections 323 and 324 read with Section 149 of the Indian Penal Code. However, in the appeal, learned Additional Sessions Judge, Fazilka, vide order dated 20.11.2015 has acquitted accused Khan

Chand, Om Parkash, Lekh Raj, Des Raj and Sanjha Ram of the charges under

CRR No. 4694 of 2015 (O&M) and
CRR No. 4940 of 2015 (O&M)

Sections 323 and 324 read with Section 149 Indian Penal Code framed against them. Whereas, accused-petitioner, Gurmukh Chand was acquitted of the charges framed under Section 323 read with Section 149 Indian Penal Code and the accused-petitioners namely Manjit Kumar, Parampal, Bhagwan Dass and Sunil Kumar were also acquitted of the charges under Section 324 read with Section 149 Indian Penal Code framed against them.

The offence under Section 323 of Indian Penal Code is compoundable without the permission of the Court whereas the offence under Section 324 Indian Penal Code is compoundable with the permission of the Court.

During the pendency of the present revision, the parties have entered into compromise. Both the parties were directed to appear before the learned Judicial Magistrate Ist Class, Fazilka who was directed to report about genuineness of the said compromise between the parties.

The report of the learned Chief Judicial Magistrate, Fazilka has been received wherein it is mentioned that he has recorded the statement of the parties and reported that parties have compromised the matter of their free will and without any pressure.

In order to keep good relations between the parties, permission is granted to compound the offences.

In view of the fact that the offences have been lawfully compounded, the judgments of both the Courts below are hereby set aside and the accused-petitioners in both the revisions are acquitted of the charges framed against them. The bail bonds of the petitioners in both the revisions are discharged.

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CRR No. 4940 of 2015 (O&M)

Both the revisions are accordingly allowed.

Photocopy of this order be placed on the file of the another connected revision.

September 13, 2017
Suresh Kumar

(KULDIP SINGH)
JUDGE

<i>Whether speaking / reasoned</i>	:	✓ Yes / No ✓
<i>Whether Reportable</i>	:	Yes / No