

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

**CRR-396-2017 (O&M)
Date of decision: 03.07.2017**

Chander Mohan

.....Petitioner

versus

State of Punjab and another

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.K.B.S.Mann, Advocate for the petitioner
Mr.Davinder Bir Singh, Deputy Advocate General, Punjab
Mr.H.S.Jalal, Advocate for respondent no.2

- 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)

Revisionist was convicted under Section 279 and 338 IPC by learned Additional Chief Judicial Magistrate, Kapurthala vide judgment and order dated 16.7.2016 and was sentenced as under:-

<i>Name of convict</i>	<i>Sections</i>	<i>Sentence</i>
<i>Chander Mohan</i>	<i>279 IPC</i>	<i>To undergo Rigorous Imprisonment for three months and to pay a fine of Rs.500/- and in default of payment of fine, to further undergo Rigorous Imprisonment for ten days</i>
<i>Chander Mohan</i>	<i>338 IPC</i>	<i>To undergo Rigorous Imprisonment for one year and to pay a fine of Rs.1000/- and in default of payment of fine, to further undergo Rigorous Imprisonment for twenty days</i>

Appeal filed by the petitioner was dismissed by learned Additional Sessions Judge, Kapurthala vide judgment dated 25.1.2017.

On the last date of hearing, the petitioner had paid a sum of Rs.2,65,000/- by way of demand draft in the name of the injured namely Balbir Kaur alias Baljit Kaur. It is stated that the parties have amicably

settled the dispute. As per custody certificate filed on the last date of hearing, the petitioner has undergone the actual sentence of one month and eight days as on 1.3.2017.

In view of the fact that it is a case under Sections 279 and 338 IPC and the accused has paid the compensation to the complainant and the parties have compromised the dispute and learned counsel for the complainant present in the Court today does not press the charges, the sentence of the petitioner is reduced to the period already undergone by him. However, order of conviction is maintained.

With this modification, the revision is dismissed.

03.07.2017

gk

**(Kuldip Singh)
Judge**

Whether speaking/ reasoned:

Yes

Whether Reportable:

No