

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

CRR No.913 of 2017 (O&M)

Date of decision : September 27, 2017

Narinder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Balbir Singh Jaswal, Advocate for the petitioner.

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

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 petitioner was convicted for the commission of offence punishable under Section 325 IPC and sentenced to undergo rigorous imprisonment for six months and to pay a fine of ₹3,000/-, in default thereof to further undergo simple imprisonment for two months by the learned Sub Divisional Judicial Magistrate, Baba Bakala Sahib, vide judgment of conviction and order of sentence dated 27.10.2016. The appeal filed against the said judgment and order was dismissed by the learned Addl. Sessions Judge, Amritsar, vide judgment dated 27.01.2017. Consequently, the petitioner has approached this Court by way of filing the present revision petition.

The allegations against the petitioner were regarding causing injury to one Karnial Singh.

During the pendency of the present revision petition, an application under Section 482 Cr.P.C. has been filed for setting aside the judgments of two courts below on the basis of the compromise dated

20.03.2017 (Annexure P-10) effected between the parties. Therefore, the petitioner should be acquitted of the charges framed against him on account of compounding of the offence.

This Court vide order dated 07.07.2017, directed the petitioner to deposit ₹50,000/- within one week with the office of SSP, Amritsar as a pre-condition for recording the statements within two weeks thereafter. Both the parties were also directed to appear before the learned Illaqa Magistrate, who was to record their statements and submit report to this Court.

The report of learned Sub Divisional Judicial Magistrate, Baba Bakala Sahib has been received, in which he has stated that he has recorded the statements of the petitioner and widow, son and daughter of the complainant-injured Karnail Singh. Karnail Singh has since died. It is reported that the parties have compromised the matter and the same is of their free will and without any pressure or coercion. As the offence committed under Section 325 IPC is compoundable only with the permission of court, the petitioner is hereby granted permission to compound the offence.

Since, the offence has been lawfully compounded, therefore, the judgment of conviction and order of sentence dated 27.10.2016 passed by Sub Divisional Judicial Magistrate, Baba Bakala Sahib and the judgment dated 27.01.2017 passed by learned Addl. Sessions Judge, Amritsar, are hereby set aside and the petitioner stands acquitted of the charges served upon him. A sum of ₹50,000/-, which were deposited with the SSP, Amritsar, in terms of the order dated 07.07.2017 passed by this Court, is ordered to be paid to Rajwinder Kaur, Azad Singh and Baljot Kaur, being

the widow, son and daughter of complainant-injured Karnial Singh in three equal shares.

The bail bonds and surety bonds of the petitioner stand discharged. As such, the present petition is allowed.

(KULDIP SINGH)
JUDGE

September 27, 2017
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Whether speaking / reasoned	Yes
Whether Reportable:	No