

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Revision No. 78 of 2008

Lakhanlal Barley S/o. Budharu Lal, Aged 30 years, resident of village Bhelwadeeh, Thana Abhanpur, District Raipur (C.G.)

---- **Applicant**

Versus

State of Chhattisgarh, Through Police Station Abhanpur District Raipur (C.G.)

---- **Respondent**

For Applicant : Mr. Yogeshwar Pandey, Advocate.
For Respondent : Mr. Rakesh Thakur, Advocate

Hon'ble Smt. Justice Vimla Singh Kapoor

Order on Board

12.12.2018

By this revision petition the applicant has assailed the judgment dated 05.01.2008 passed by Sessions Judge Raipur in Criminal Appeal No. 90/2007 modifying the judgment dated 12.10.2007 passed by Additional Chief Judicial Magistrate, Raipur in Criminal Case No. 842/2002 convicting the accused/applicant under Section 498-A IPC and sentencing him to undergo R.I. for six months and to pay fine of Rs. 1000/- with default stipulations.

2. During the pendency of this revision petition, the applicant is stated to have filed an application I. A. No. 01/2018 under Section 320 CrPC for compounding the offence. The said application is duly supported by the affidavits of both- husband and wife which mentions that they are no more interested in pulling the litigation anymore and want to lead a further settled life.

3. Since the parties to the dispute have already decided not to continue the litigation anymore in order to facilitate a hassle-free life and have stated like that before this Court as also before the Additional Registrar (Judicial). Thus, in view of their categorical statement that they have entered an amicable settlement outside the Court and the statement made before the Additional Registrar (judicial) and also keeping in view the judicial pronouncements that in the interest of the parties, even a non-compoundable case can be permitted to be compounded just to save the family from being disrupted. Accordingly, I.A. No. 1/2018 is allowed and the parties are permitted to compound the case. Result of this compounding would be acquittal of the accused/applicant of the charge levelled against him.

4. Hence, the present revision stands allowed. The impugned judgment dated 05.01.2008 passed by the Sessions Judge Raipur, District Raipur in Criminal Appeal No. 90 of 2007 is hereby set aside. The applicant is accordingly acquitted of the alleged offence punishable u/S. 498-A of IPC. The amount of fine, if deposited, be refunded to him.

Sd/-
(Vimla Singh Kapoor)
JUDGE