

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

CRA No.2307-SB of 2006 (O&M)
Date of Decision: October 25, 2018

Uggar Singh & another

...Appellants

Versus

Rinku Mittal

...Respondent

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL

**Present: Mr. A.S.Ahluwalia, Advocate,
for the appellants.**

**Mr.Vijay Kumar Mahajan, Advocate,
for the respondent-complainant.**

AMIT RAWAL, J. (Oral)

The present appeal has been filed by appellants Uggar Singh and Rana Singh against the judgment of conviction and order of sentence dated 02.11.2006 for having been convicted and sentenced to undergo rigorous imprisonment for a period of six months each and also to pay a fine of ₹ 1000/- each and in default thereof to further undergo rigorous imprisonment for a period of 15 days under Section 323 IPC.

Appellant No.1 Uggar Singh, complainant Rinku Mittal and witness Rakesh Singh, who are present in Court, stated that they have compromised the matter with each other and also placed on record a compromise dated 11.10.2018 which is taken on record. The same is marked as Ex.C1. Their statements to this effect have also been recorded separately. Sentence of appellants had already been suspended vide order dated 21.11.2006.

As per the provisions of Section 323 of the Code of Criminal Procedure, 1973, the offence voluntary causing hurt under Section 323 IPC is compoundable with the person to whom the injury has been caused.

In view of the aforementioned fact, since the parties have compromised the matter and suffered statements to this effect, no useful purpose would be served in touching the merits of the case. Accordingly, the judgment of conviction and order of sentence dated 02.11.2006 are hereby set-aside and the appellants are acquitted of the charges framed against them.

Appeal stands allowed.

October 25, 2018
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable:

Yes/No