

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA-S-2026-SB of 2014(O&M)

Date of Decision: 14.09.2018

Harjinder Kaur

....Appellant

Versus

The State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. SPS Sidhu, Advocate,
for the appellant.

Mr. A.S. Gill, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant appeal has been made for setting aside judgment of conviction and order of sentence dated 11.03.2014, passed by the learned Additional Sessions Judge, Sri Muktsar Sahib, holding appellant guilty under Section 306 IPC and sentencing her for a period of three years' rigorous imprisonment along with fine of Rs.5,000/-, on the basis of compromise.

Consequently, the parties were directed to appear before the trial Court/Illaq Magistrate, Bathinda, to get their statements recorded qua compromise and the learned Magistrate was directed to report as to whether the compromise between the parties was genuine, without any pressure or undue influence. In response thereto, learned Additional Chief Judicial Magistrate, Sri Muktsar Sahib, has submitted his report vide letter No.394, dated 28.08.2018 duly forwarded by learned District and Sessions Judge, Sri Muktsar Sahib, vide Endst. No.1765/EB9, dated 30.08.2018.

According to the report, learned Additional Chief Judicial Magistrate, Sri Muktsar Sahib, is satisfied that compromise entered into between the parties is genuine, voluntary, without any coercion or undue

influence with their free will.

Considering the overall facts and circumstances of the case, this Court is of the view that no useful purpose would be served sending the appellant behind the bars any further. More so, the compromise entered in between the parties would bring harmony in their relations. Accordingly, the impugned judgment of conviction dated 11.03.2014 qua conviction of the appellant is upheld. Consequently, the appeal of the appellant to this extent is hereby dismissed. However, in view of the above discussion, the order of sentence dated 11.03.2014 is modified to the extent that the sentence awarded to the appellant is reduced to the period already undergone, subject to payment of costs of ₹10,000/-, out of which ₹8,000/- shall be deposited with the following account:-

Account details:-	Chief Minister's Distress Relief Fund.
Account Number :-	67319948232
Bank:-	State Bank of India.
Branch:-	City Branch, Thiruvananthapuram
IFSC:-	SBIN0070028
PAN:-	AAAGD0584M
Account Type:-	Savings
SWIFT Code:	SBININBBT08

and ₹2,000/- with the Bar Association of Punjab and Haryana High Court within two weeks from today, failing which this appeal shall be deemed to be dismissed.

With the observations made above, the present appeal is disposed of.

List on 06.10.2018, for production of receipt with regard to deposit of aforesaid costs.

14.09.2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No