

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

Crl. Misc. No.M-12355 of 2018

Date of Decision:- 01.08.2018

Sukhwinder Singh and others

....Petitioners

vs.

State of Punjab and others

....Respondents

Crl. Misc. No.M-12151 of 2018

Dial Singh and others

....Petitioners

vs.

State of Punjab and others

....Respondents

BEFORE :- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. O.P. Kamboj, Advocate,
for the petitioners in Crl. Misc. No.M-12355 of 2018.

Mr. Veneet Sharma, Advocate,
for the petitioners in Crl. Misc. No.M-12151 of 2018 and
respondents No.2 and 3 in Crl. Misc.No.M-12355 of 2018.

Mr. A.S. Bains, AAG, Punjab.

Sudhir Mittal, J. (Oral)

By this common order, I shall dispose of two criminal miscellaneous petitions viz. Crl. Misc. No.M-12355 of 2018 and Crl. Misc. No.M-12151 of 2018 as both arise out of the same incident and it is a case of version and cross-version.

Petitioners have been convicted under Sections 326, 325, 323 read with Section 34 IPC and have been sentenced to a maximum punishment of RI for 3 years. Similarly, petitioners in Crl. Misc. No. M-12151 of 2018 were also convicted under Sections 148, 323 and 325 read with Section 149 I.P.C. Their appeals are

statedly pending before the Additional Sessions Judge, Amritsar.

During the pendency of the appeals, the parties have entered into a compromise as is evident from report dated 26.4.2018, sent by Mr. Chetan Sharma, Judicial Magistrate, First Class, Ajnala.

Keeping in view the fact that the parties have entered into a compromise and in view of the ratio of a Division Bench judgment of this Court passed in **Sube Singh and another vs. State of Haryana and another**, 2013(4) RCR (Criminal) 102, the judgements of conviction dated 23.11.2016, passed by the J.M.I.C., Ajnala, are maintained. So far as orders of sentence are concerned, the same are modified and instead of sentencing them, the petitioners are ordered to be released on probation on their furnishing probation bonds with sureties for a period of one year each, to the satisfaction of the Court/Successor Court of the Convicting Magistrate concerned. Resultantly, the appeals of the petitioners would be rendered infructuous and shall be so declared by the Additional Sessions Judge, Amritsar.

With the above modification, instant petition stands disposed of.

Copy of this order be sent to the Court/Successor Court of the Convicting Magistrate concerned for compliance.

A photocopy of this order be placed on the file of another connected case.

August 01, 2018
poonam

(SUDHIR MITTAL)
JUDGE

Whether Speaking/Reasoned

Yes

Whether Reportable

No