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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 42985 of 2017
Date of Decision: 07.02.2018

Satinderpal Singh @ Sunny and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Pardeep Singh Mirpur, Advocate,
for the petitioners.

Mr. Luvinder Sofat, A.A.G., Punjab,
for respondent No. 1.

Mr. S.S. Sodhi, Advocate,
for respondent No. 2/complainant.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in Criminal Complaint No. 76, dated 13.09.2012, under Sections 295, 323, 324, 148 and 149 of the Indian Penal Code, have prayed for setting aside the order of sentence and judgment of conviction passed by the Court below on the basis of compromise.

[2]. The petitioners were convicted of the offences under Sections 148, 323 and 324 read with Section 149 of the Indian Penal Code and were

sentenced accordingly. Thereafter, the instant petition has been filed, since the parties concerned have arrived at a settlement. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Sub Divisional Judicial Magistrate, Talwandi Sabo, vide report dated 16.01.2018, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondent No. 2/complainant is represented by his Counsel and he does not oppose the compromise.

[4]. In view of the report of the Sub Divisional Judicial Magistrate, Talwandi Sabo, and in view of the decision of the Hon'ble Supreme Court in "Gian Singh Vs. State of Punjab and another", 2012(4) RCR (Criminal) 543 and "Narinder Singh and Others Vs. State of Punjab and Another", (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioners/ accused persons.

[5]. In the circumstances and in view of the decisions of the Supreme Court in "Gulab Das Vs. State of M.P.", 2012 (1) R.C.R. (Criminal) 220 and "Mukesh Kumar Vs. State of Rajasthan", 2013 (11) S.C.C. 511, while sustaining conviction of the petitioners for the offences under Sections 148, 323 and 324 read with Section 149 of the Indian Penal Code, the matter is disposed off with a direction that no further sentence needs to be suffered by them nor any fine needs to be paid, apart from the sentence already undergone by them. Criminal Complaint No. 76, dated

13.09.2012, under Sections 295, 323, 324, 148 and 149 of the Indian Penal Code, and all consequential proceedings arising therefrom, are also hereby quashed on the basis of compromise qua the present petitioners.

07.02.2018

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No
2. Whether reportable : Yes/ No