

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

CRR-3770-2012 (O&M)

Date of Decision:- 11.12.2018

Hoshiyar Singh

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gaurav Mohunta, Advocate, for the petitioner.

Mr. Arjun Singh Yadav, AAG, Haryana.

Mr. Raghbir Cahudhary, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

Pursuant to order dated 18.7.2018, report of learned Sub-Divisional Judicial Magistrate Meham has been received to the effect that the statements of heirs of complainant Gaje Singh namely Bala Devi (wife), Pooja (daughter), Rajmal and Manish (sons) to the effect that the parties have effected a compromise.

By way of filing a separate application, the petitioner prays for permission to compound the offences.

Having heard the learned counsel for the petitioner; learned State counsel as well as learned counsel for the complainant and having perused the impugned judgment, I do not find any infirmity in the impugned

judgment, as far as the findings regarding conviction of the petitioner for offence under Sections 465 and 468 IPC are concerned. The said findings, as such are hereby confirmed. However, in view of the fact that complainant Gaje Singh had compromised the matter, as would be evident from the compromise deed Ex.P-2, placed on record and also from the statements of heirs of Gaje Singh who have admitted the factum of compromise and also the fact that the occurrence in the present case had taken place way back in the year 2001, in my opinion, sufficient grounds are made out for reduction of sentence, more particularly keeping in view the fact that the petitioner as of now is aged about 65 years.

As per the custody certificate, filed today in the Court, the petitioner has already undergone 1 month and 17 days. He is not stated to be involved in any other case. Consequently, the sentence, as imposed upon the petitioner by trial Court and as affirmed by the Court of learned Sessions Judge, Rohtak is reduced from rigorous imprisonment of 3 years to the one already undergone.

The petition, as such, is partly accepted to the extent indicated above regarding reduction in quantum of sentence, only.

December 11, 2018

mohan

**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No