

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRR-108-2018

Date of decision : 23.02.2018

Suraj Bhan and another

... Petitioners

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Ravinder Bangar, Advocate
for the petitioners.

Mr.Surender Singh, AAG, Haryana.

Ms.Sukhveer Kaur, Adocate
for Mr.Inder Kumar, Advocate
for the complainant.

AMOL RATTAN SINGH, J.(ORAL)

Pursuant to the order of this Court dated 30.01.2018, respondent no.2, i.e. the complainant, Ramji Lal, and his wife Jaivantari Devi, who was also stated to be injured in the occurrence, appeared before the learned JMIC, Jagadhri on 07.02.2018, as per the report of the learned Magistrate, and made statements before him that the matter has been compromised by them with the petitioners for the sake of cordial relationship and peace in the family and the village.

As per the assessment of the learned Magistrate, the compromise entered into was of the free will of the parties.

Learned counsel appearing for respondent no.2 does not deny the aforesaid fact. She consequently submits that the complainant would have no objection if the sentences imposed upon the petitioners after their

are reduced to the extent of imprisonment already undergone by them. It is seen that the petitioners were sentenced for different offences as follows:-

- a) for the offence punishable under Section 148 read with Section 149 IPC, for three months;
- b) for the offence punishable under Section 323 read with Section 149 IPC, for a period of three months;
- c) for the offence punishable under Section 324 read with Section 149 IPC, for a period of eight months;
- d) for the offence punishable under Section 506 read with Section 149 IPC, for a period of four months.

All the sentences were ordered to run concurrently.

As per the learned counsel for the petitioners, they have undergone 1 month and 10 days of actual custody, which though learned State counsel does not have the custody certificate, he was not in a position to refute.

Hence, keeping in view the fact that the matter has been fully compromised between the parties and seeing the nature of the offences, also seeing the fact that they are stated to be belonging to the same village, the petition is allowed to the extent that while upholding the conviction of the petitioners for the commission of the aforesaid offences, the quantum of sentence of imprisonment imposed upon the petitioners is reduced to the extent of imprisonment already undergone by them, in respect of each offence. The petitioners already being on bail, their bail and surety bonds be discharged as per procedure.

(AMOL RATTAN SINGH)
JUDGE

February 23, 2018.

Davinder Kumar