

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

**CRR No. 174 of 2018 (O&M)
DATE OF DECISION :- January 30, 2018**

Manpreet Singh

...Petitioner

Versus

Gurmit Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

Present:- Mr. Vijay Lath, Advocate for the petitioner.

Lower Court record received.

Learned counsel for the petitioner states that the matter has since been compromised between the parties. However, compromise in that regard has been placed on file. It is further stated that the parties are related interse.

Notice of motion.

At this stage, Mr. Tarun Jhatta, Advocate for Mr. Abhishek Bhateja, Advocate has appeared on behalf of the complainant.

Learned counsel for the complainant admits the factum of compromise having been arrived at between the parties stating that he has no objection if the Criminal Revision Petition is accepted and accused-petitioner is acquitted of the charge framed against him.

In terms of the compromise, two demand drafts in the sum of Rs. 5 lacs each in favour of Gurmit Singh and two account payee post dated

cheques have been handed over to counsel for the complainant. In terms of directions issued by Hon'ble the Supreme Court, in such an eventuality 15% of the cheque amount is to be deposited as cost.

Under Section 320(6) Cr.P.C. the compounding of offences can be allowed by the High Court while in Revision Petition. The Revision petitioner has submitted a draft in the sum of Rs. 3 lacs i.e. 15% of the cheque amount as cost in terms of the directions of the Apex Court in **Damodar S. Prabhu versus Sayed Babalal 2010(5) SCC 663. R.C.R. (Criminal) 851.** Photocopy of the draft in that regard has been placed on file.

In view of the fact that parties have effected compromise to promote peace and tranquility, the application for permission to compound the offence is accepted. Resultantly, the judgments passed by the Courts below convicting and sentencing the accused are set aside by way of acceptance of Criminal Revision Petition. Accordingly, petitioner is acquitted of the charge framed against him.

(H.S. MADAN)
JUDGE

January 30, 2018

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No