

CRR-178-2018 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR-178-2018 (O&M)

Date of Decision: 09th February, 2018

Jagtar Singh @ Jagga & another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. P.S. Dhaliwal, Advocate
for the petitioners.

Mr. Kuldeep Singh, Sr. DAG, Punjab.

Mr. Rajender Kumar, Advocate
for the respondent.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Present petition has been filed for compounding of the offences
as a compromise has been entered into between the parties dated 25.11.2017
(Anneuxre P-1).

The revision petition came up for hearing before this Court on
19.01.2018 when the following order was passed:-

“It is the contention of the learned counsel for
the petitioners that a compromise has been entered into
between the complainant Harcharan Singh and the
petitioners on 25.11.2017 but the same could not be
brought to the notice of the learned Appellate Court,
however, copy of the same has been placed on record as

Annexure P-1. Counsel contends that in the light of the compromise entered into between the parties, the offence of the petitioners, for which they have been convicted, may be compounded.

Notice of motion.

Mr. Dhruv Dayal, Sr. Deputy Advocate General, Punjab, accepts notice on behalf of the State-respondent. Mr. Rajender Kumar, Advocate, puts in appearance on behalf of the complainant and acknowledges the fact of the compromise entered into between the parties, referred to above.

Let the complainant Harcharan Singh son of Mann Singh appear before the Chief Judicial Magistrate, Barnala, on 23.01.2018.

In case the complainant appears before the Chief Judicial Magistrate, Barnala, he shall proceed to record the statement of the complainant and give it forthwith with regard to the authenticity of the compromise dated 25.11.2017 (Annexure P-1) entered into between the parties and transmit the same to this Court. The Magistrate shall also intimate if any of the petitioners has been declared as proclaimed offender.

To come up on 06.02.2018.”

In compliance with the said order, parties appeared before the

CRR-178-2018 (O&M)

Chief Judicial Magistrate, Barnala, on 23.01.2018 when the statements of the petitioners as also that of complainant Harcharan Singh son of Mann Singh, R/o Dhilwan, Tehsil Tapa, District Barnala, were recorded. On the basis of the statements of the parties, a report has been submitted by the Chief Judicial Magistrate, Barnala, wherein, it is stated that the compromise arrived at between the parties is genuine, voluntary, without any coercion or undue influence. It has also been informed that none of the accused is declared proclaimed offender.

Keeping in view the compromise which has been entered into between the parties and the nature of the injuries received by the complainant, the offences for which the petitioners have been convicted are compounded. The present petition is allowed by setting aside of the sentences of the petitioner and they be released from custody forthwith.

In the light of the above order, CRM-1931-2018 for suspension of sentence is disposed of as infructuous.

Copy of this order be given **dasti** to the counsel for the petitioners under the signatures of the Bench Secretary of this Court.

09th February, 2018
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No