

CRR-225-2018 (O&M)

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

CRR-225-2018 (O&M)

Date of Decision: 17th April, 2018

Rohit @ Ravi

...Petitioner

Versus

Bhuvnesh Kumar & another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Manu K. Bhandari, Advocate,
for the petitioner.

Mr. Rohan Sharma, Advocate
for respondent No.1.

Mr. Kuldeep Singh, Sr. DAG, Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Initially, the petitioner along with his co-accused was convicted by the Judicial Magistrate First Class, Patiala, vide judgment of conviction and order of sentence dated 03.05.2017, under Sections 323, 325, 452 read with Section 34 of the Indian Penal Code (hereinafter referred to as 'IPC'), Against the said judgment of conviction and order of sentence, they had preferred an appeal before the learned Additional Sessions Judge, Patiala, which was partly allowed vide judgment dated 02.11.2017, in which, co-accused of the petitioner, namely, Om Parkash and Sumit were acquitted of the charges framed against them and petitioner-Rohit @ Ravi was acquitted

CRR-225-2018 (O&M)

of the offence under Sections 323 read with Section 34 of IPC although his conviction was upheld under Sections 325 and 452 of IPC, which reads as under:-

Offence	Sentence	Fine	In default
323 IPC	Two years	Rs.500/-	01 month
452 IPC	Two years	Rs.500/-	01 month

This revision has been filed against the said judgment of conviction and sentence dated 02.11.2017 passed by the Additional Sessions Judge, Patiala.

Notice of motion was issued by this Court on 25.01.2018.

Mr. Rohan Sharma, Advocate, has put in appearance on behalf of respondent No.1-complainant and filed his power of attorney. An affidavit of Bhuvnesh Kumar son of Rakesh Mittal (complainant) has also been filed in Court to the effect that a compromise has been entered into between the petitioner and respondent No.1-complainant with the intervention of respectable persons of the market and it has been decided that the differences between them should come to an end so that they may live amicably. Bhuvnesh Kumar is also present in Court and has been identified by his counsel, who states that there has indeed been a compromise and he has no objection in case the sentence of the petitioner is reduced to the period already undergone by him.

Keeping in view the fact that the matter has been amicably resolved between the parties, which factum is acknowledged by respondent No.1 himself, who is present in Court and has also filed an affidavit in

CRR-225-2018 (O&M)

support thereof, the present revision petition is partly allowed by upholding the judgment of conviction of the petitioner under Sections 325 and 452 of IPC, however, his sentence is reduced to the period already undergone by him. Petitioner be released forthwith, if not required in any other case.

CRM-2223-2018

In the light of the disposal of main revision petition, the present application has been rendered infructuous.

Disposed of as such.

(AUGUSTINE GEORGE MASIH)
JUDGE

17th April, 2018
Harish

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