

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Cr.A. No. 934 of 2015

1. Antaryami S/o Ratan Kumar, Aged About 42 Years, Occupation- Service
 2. Mahendra Kumar S/o Ganesh Ram, Aged About 50 Years, Occupation- Agriculture
 3. Aswani S/o Mahendra Vishwal, Aged About 27 Years, Occupation- Nothing
- [All are the R/o Village Kudargadhi P.S. Sariya District- Raigarh Chhattisgarh]

---- Appellants

Versus

- State Of Chhattisgarh Through Police Station Sariya, District- Raigarh Chhattisgarh

---- Respondent

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13/03/2019	Mr. S.N. Nande, counsel for appellants. Mr. I. Lakra, Dy. G.A. for the State. Heard on I.A. No. 01/19, an application seeking permission of this Court for compounding of the offence under which the appellants have been convicted. The offences under which the appellants are convicted are compoundable. After due consideration and for the reasons mentioned in the application, the same is allowed and the permission to compound the offence is granted. Also heard on application for compounding of offences under which the appellants are convicted, filed by the appellants and the complainants/injured victims.

The statement of the victims namely Arvind Chouhan, Daras Ram Chouhan and Lalit Chouhan has already been recorded and they have clearly stated that they have given consent for compromise without any fear, favour or influence.

As it appears that the consent has been freely given by the victims/complainants of this case. Therefore, I feel inclined to allow this prayer and the composition of offences under Section 323/34 (twice) and 325/34 of I.P.C. is allowed.

As a result of compounding of offences, the appellants are entitled for acquittal. Therefore, this appeal is allowed on the basis of the composition of offences as mentioned herein above and the appellants are acquitted of the offences under which they have been convicted by the Court below, the conviction and sentence of impugned judgment in order dated 24.07.2014 passed by the Learned Special Judge (Atrocities), Raigarh in Special Case No. 56/2014 is set aside.

Accordingly, the appeal is disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge