

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Revision No. 374 of 2008

Sevak Ram S/o. Kaliram Marar, aged about 35 years, R/o. Village Darigawan, Police Station Sahaspur Lohara, District Kabirdham (C.G.)

---- Applicant

Versus

State of Chhattisgarh, through Police Station Sahaspur Lohara, District Kabirdham (C.G.)

---- Respondent

For Applicant : Ms. Sareena Khan, Advocate
on behalf of Mr. Malay Bhaduri, Advocate
For Respondent : Mr. Aman Kesharwani, PL
For Complainant : Mr. Azad Siddiqui, Advocate

Hon'ble Smt. Justice Vimla Singh Kapoor

Order on Board on 05.03.2019

1. This revision is directed against the judgment dated 27.05.2008 passed by the Special Judge Kabridham (Kawardha), in Special Case No. 44 of 2007, convicting the applicant under Sections 354 and 323 IPC and sentencing him to undergo RI for 3 months u/s. 354 IPC, RI for 1 month u/s 323 IPC with a direction to run the sentences concurrently.
2. During the pendency of this revision petition, the applicant and the complainant are stated to have filed a joint application I. A. No. 01/2012 under Section 320 CrPC for compounding the offence. The said application is duly supported by their affidavits in which it is stated that they are ready to compromise the instant case

unconditionally and the complainant does not want to proceed further against the applicant. Since the offences alleged are compoundable in nature, this Court finds nothing to deviate from the statement made by the parties for compromise to be arrived at between them.

3. Thus, looking to the facts and circumstances of the case, the statement of the parties made before this Court and keeping in view of the judgment passed in **AIR 2010 SC 276 (K.M. Inbrahim v. K.P. Mohammed)**, as the parties have amicably settled their dispute in terms of section 147 of the Act, the application No. 01 of 2012 for compounding the offence is allowed and the parties are permitted to compound the offence. Effect of this compromise would be the acquittal of the applicant of the charge under Sections 354 and 323 IPC.

4. Revision is thus allowed and the order dated 27.05.2008 is set aside.

Sd/-

(Vimla Singh Kapoor)

JUDGE