

In the High Court of Punjab and Haryana at Chandigarh

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CRR-741-2008 (O & M)

Date of Decision: 17.07.2019

RANDHIR SINGH AND ANR.

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHER

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Ankush Singla, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Ms. Gagandeep Kaur, Advocate for respondent No.2/complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioners have challenged the judgments of the Courts below whereby they have been convicted under Sections 323 and 324 IPC and sentenced to undergo rigorous imprisonment for a maximum period of one year.

Learned counsel for the petitioners contends that the FIR is outcome of sudden quarrel between the parties, who are closely related to each other. The injuries suffered by the complainant are simple in nature. Petitioner No.1 is the son of petitioner No.2 and the complainant is nephew of petitioner No.2 and cousin of petitioner No.1. The petitioner is stated to be 45 years old while petitioner No.2 is 65 years of age. They are facing the agony of protracted criminal proceedings for almost 17 years. They are not involved in any other case. He also contends that the matter has been compromised with the complainant and the parties are residing peacefully. There has been no untoward incident after the occurrence which took place on 30.11.2002.

Learned counsel for the complainant states that the matter has indeed been compromised and she has no objection if the sentence is reduced to the period already undergone.

Learned State counsel has filed the custody certificate which is taken on record. It indicates that the petitioners have undergone total sentence of 28 days.

Heard.

The petitioners had been convicted under Sections 323 and 324 IPC and sentenced to undergo rigorous imprisonment for a maximum period of one year. The petitioners are facing the agony of protracted criminal proceedings for almost 17 years. The injuries are simple in nature and the complainant has fully recovered. They are not involved in any other case. There has been no untoward incident after the occurrence which is the basis of the instant FIR. The petitioners have undergone sentence of 28 days. The matter has also been compromised.

It would, therefore, be in the interest of justice, if the sentence of the petitioners are reduced to the period already undergone by them.

Consequently, while maintaining the conviction, the sentence of the petitioners are reduced to the period already undergone by them.

With this modification, the petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

July 17, 2019

A.Kaundal

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