

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

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**CRM No. 4768 of 2019 in/and
CRR No. 2888 of 2010
Date of decision : 19.12.2019**

Anoop Kumar and others

.....Petitioners

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Gaurav Mohunta, Advocate, for the petitioners
Mr. Amrik Narwal, DAG, Haryana
Ms. Bhavna Grewal, Advocate, for
Mr. S.K. Yadav, Advocate, for the complainant

Rajbir Sehrawat, J. (Oral)

This is a revision petition challenging the judgment dated 11.10.2010 passed by learned Additional Sessions Judge, Narnaul, whereby, the appeal filed by the present petitioners was dismissed and the judgment of conviction dated 20.11.2009 and order of sentence dated 21.11.2009, passed by Chief Judicial Magistrate, Narnaul in case FIR No. 4 dated 8.1.2001, registered under Sections 452, 323, 324 and 34 IPC, at Police Station City Narnaul, sentencing the petitioner rigorous imprisonment for a period of 2 years and to pay a fine of Rs.1000/-each under Section 452 read with Section 34 IPC, rigorous imprisonment for a period of 6 months under Section 323 read with Section 34 IPC each, rigorous imprisonment for a period of one year under Section 324 read with Section 34 IPC each, was upheld.

During the pendency of the present petition, the parties appeared to have compromised the matter. Therefore, a prayer was made by the counsel

for the petitioners, to send the parties to the trial Court/Illaq Magistrate to get their statements recorded qua the compromise arrived at between the parties.

Vide order dated 10.9.2019, the parties were directed to appear before the learned trial Court/Illaq Magistrate, for getting their statements recorded; as to the genuineness of the compromise.

In compliance thereof, report of Chief Judicial Magistrate, Narnaul dated 9.10.2019, has been received, wherein, it has been noticed that the matter has been compromised between the parties with their free consent and without any coercion or undue influence from any quarter.

Counsel for the petitioners submits that since the matter has been amicably settled between the parties, therefore, the parties may be permitted to compound the offence; and by setting aside the judgments/orders passed by the Courts below, the petitioners be ordered to be acquitted of the charges.

Ms. Bhavna Grewal, Advocate, for Mr. S.K. Yadav, Advocate, appearing on behalf of the complainant, does not dispute the compromise arrived at between the parties. She has expressed her no objection for compounding of the offence as prayed by the counsel for the petitioners.

In view of the above, finding the prayer of the petitioners to be genuine and in view of the fact that the matter has been amicably settled between the parties, this Court finds that it would not be unjustified if the offence, for which the petitioners have been convicted, is permitted to be compounded.

Accordingly, the present revision petition is allowed. Necessary permission for compounding of offence under Sections 452, 323, 324 and 34 IPC, for which the petitioners were convicted and sentenced by the trial Court,

is granted. As a result of compounding, the judgment of conviction dated 20.11.2009 and order of sentence dated 21.11.2009, passed by Chief Judicial Magistrate, Narnaul in case FIR No. 4 dated 8.1.2001, registered under Sections 452, 323, 324 and 34 IPC, at Police Station City Narnaul, and the judgment dated 11.10.2010 passed by learned Additional Sessions Judge, Narnaul are set aside and the petitioners stand acquitted of the charges levelled against them.

19.12.2019
Ashwani

(RAJBIR SEHRAWAT
JUDGE

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No