

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

CRM-M-519-2018

Date of decision: April 22, 2019

Manjit Singh and another

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Jasneet Mehra, Advocate
for the petitioners.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. S.P. Khera, Advocate for
Mr. L.M. Gulati, Advocate
for respondent No.2.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners are seeking permission for compounding the offences in FIR No.67 dated 4.7.2012 (Annexure P-1) under Sections 323, 324, 326, 427 read with Section 34 IPC registered at Police Station Kamboj, District Amritsar.

It is apposite to mention here that the trial in the said case has already been concluded and vide judgment of conviction and order of sentence dated 20.7.2016, the petitioners were convicted for the offence punishable under Sections 323/34 and 324 IPC and were sentenced to undergo imprisonment for a period of two years and to pay a fine of Rs.2,500/- each.

The petitioners have preferred an appeal which is pending before the lower Appellate Court at Amritsar. During the pendency of the appeal, the parties have entered into a compromise dated 28.9.2017.

In pursuance of order dated 8.8.2018 passed by this Court, the trial Court has submitted report dated 16.10.2018, in which it was stated that one Harpreet Kaur is also a victim/injured in the case and her statement was not recorded. Thereafter, again, on 18.1.2019 the petitioners were directed

to get the statement of said Harpreet Kaur recorded before the trial Court regarding compromise.

The trial Court has now submitted a fresh report dated 20.4.2019 after recording the statement of Harpreet Kaur stating therein that the compromise has been effected between the parties and the same is genuine.

Learned State counsel, on instruction from the Investigating Officer, has not disputed the fact that the matter has been compromised between the parties.

I have heard learned counsel for the parties.

In *Sube Singh and another vs. State of Haryana and another, 2013 (4) R.C.R. (Criminal) 102*, a Division Bench of this Court has held that even after the conviction, if the parties have settled the dispute amicably and decided to live in peace and harmony, this Court, in exercise of powers under Section 482 Cr.P.C., can compound the offence.

Resultantly, the present petition is partly allowed. While upholding the judgment of conviction dated 20.7.2016, the sentence awarded to the petitioners is reduced to the period already undergone by them. The petitioners shall deposit the fine of Rs.2,500/- each with the trial Court within a period of two months from today, failing which the present petition shall stand dismissed.

The petition stands disposed of, accordingly.

April 22, 2019
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(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No