

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.246

CRR-1538-2014 (O&M)
Date of decision : 10.12.2019

Baldev Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. P.S. Sekhon, Advocate, for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab

SUDHIR MITTAL, J. (Oral)

The petitioner has approached this Court for quashing of FIR as well as order of conviction on the basis of a compromise having been entered into between him and the complainant.

FIR No.12 dated 4.2.2008, was registered under Sections 452, 324, 506, 427, 323, 34 IPC, at Police Station Sherpur, District Sangrur, against the petitioner and one Hansa Singh son of Gurbachan Singh. Vide judgment of conviction dated 2.6.2010 passed by Judicial Magistrate First Class, Dhuri, they were both held guilty under Sections 323, 324 34 IPC and vide order of sentence of even date, were sentenced to maximum imprisonment of RI for a period of 01 year.

In the appeal preferred by the petitioner and his co-convict, keeping in view the compromise entered into with the complainant, they were directed to be released on probation.

Learned counsel for the petitioner submits that the petitioner is a Head Constable in Punjab Police. In case the conviction is maintained, his employment would be adversely affected. He states that in exercise of jurisdiction under Section 482 Cr.P.C., this Court can in appropriate cases

the convicts and the complainant(s) so that peace is fostered in society. He relies upon a Division Bench judgment passed in Sube Singh and another Vs. State of Haryana and another 2013(4) RCR (Criminal) 102.

Learned State counsel admits that the judgment in Sube Singh's case (supra), is applicable to the facts of this case.

Accordingly, the revision petition is allowed and judgment dated 14.1.2014 passed by Additional Sessions Judge, Sangrur as well as judgment of conviction dated 2.6.2010 and order of sentence passed by Judicial Magistrate First Class, Dhuri are set aside. The petitioner is accordingly, acquitted.

(SUDHIR MITTAL)
JUDGE

10.12.2019

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No