

**CRA-S-3993-SB-2016 (O&M) AND
CRA-S-3749-SB-2016 (O&M)**

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

Date of decision : 22.11.2019

1.

CRA-S-3993-SB-2016 (O&M)

Balbir Singh and others

... Appellants

Versus

State of Punjab

... Respondent

2.

CRA-S-3749-SB-2016 (O&M)

Ravail Singh and others

... Appellants

Versus

State of Punjab and another

... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MRS. JUSTICE ALKA SARIN**

Present: Mr. Gurcharan Dass, Advocate
for the appellants in CRA-S-3993-SB-2016 and
for respondent No.2 in CRA-S-3749-2016.

Mr. Umesh Sharma, Advocate
for the appellants in CRA-S-3749-SB-2016 and
for the respondent in CRA-S-3993-SB-2016.

Mr. H.S. Sullar, DAG, Punjab.

AJAY TEWARI, J. (ORAL)

1. This order shall dispose of above mentioned two appeals, since common questions of law and facts are involved therein, the same are being decided by the instant common order.

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2. On 11.09.2019, the following order was passed:-

"These are two cross appeals. The admitted facts in the present appeals are that a fight had occurred between the two groups of co-villagers. The appellants in CRA-S-3993-SB-2016 were convicted under Section 307 of IPC while the other party (appellants in appeal No. S-3749 -SB-2016) were convicted under Section 326 IPC. It is apposite to mention here that the complainant in case arising out of the CRA-S-3749-SB-2016 have also filed CRA-AD-154-2018 against the acquittal of the appellants for charges under Section 307 of IPC and all these appeals are before this Court.

Learned State counsel states that during this interregnum, the parties have compromised the matter which is Annexure A-7.

In such circumstances, we deem it appropriate to direct the parties to appear before the CJM, Amritsar to record their statements for the first instance. If the statements are recorded further proceedings would be taken up. Parties through counsel are directed to appear before CJM, Amritsar on 16.10.2019.

List this matter on 14.11.2019 awaiting report of the CJM, Amritsar.

Copy of this order be also transmitted to the CJM, Amritsar.

Photocopy of this order be placed on the files of other connected cases. "

3. It is stated that in both these cases, the matter has been compromised and the report dated 01.11.2019 to this effect has been received from the Chief Judicial Magistrate, Amritsar.

4. Learned Deputy Advocate General, Punjab, points out that offences, under which, the appellants have been convicted, cannot be compromised. That is correct. In these circumstances, the appeals are dismissed and the conviction is maintained. However, the sentence is

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reduced to that period, which they had already undergone. Bail bonds, if any, shall be discharged.

5. It is made clear that this order shall not apply to the case of Ravi son of Ravail Singh and Bhupinder Singh Bhinda son of Amrik Singh, who had been declared proclaimed offender.

6. Since the main cases have been decided, pending CRM. application, if any, stands disposed of.

**(AJAY TEWARI)
JUDGE**

**(ALKA SARIN)
JUDGE**

22.11.2019
Yogesh Sharma

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