

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

CRA-S-1125-SB-2012 (O&M)

Date of decision: 03.03.2020

Amandeep Singh and another

...Appellants

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Naresh Kaushik, Advocate
for the appellants.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Darshan Gulati, Advocate for
Mr. Vinod Bhardwaj, Advocate
for respondent No. 2/complainant.

ARVIND SINGH SANGWAN, J. (Oral)

CRM-25800-2019

Prayer in this application is for impleadment of complainant
Gurcharan Singh @ Gurcharanjit Singh as respondent No. 2 to this appeal.

For the reasons stated in the application, the same is allowed
and complainant Gurcharan Singh @ Gurcharanjit Singh is impleaded as
respondent No.2 to this appeal.

CRA-S-1125-SB-2012 (O&M)

Challenge in this appeal is to the judgment of conviction dated
12.03.2012 and order of sentence of the even date, passed by the Additional
Sessions Judge, Adhoc, Fast Track Court, Amritsar, whereby the appellants
were held guilty for commission of offence punishable under Section 324
read with Section 34 of the IPC and were sentenced to undergo rigorous
imprisonment for a period of two years each and to pay a fine of Rs. 2,000/-,

in default of payment of fine, they were directed to further undergo rigorous imprisonment for a period of one month.

On 27.03.2012, the sentence of the appellants were suspended during the pendency of the present appeal.

During the pendency of the appeal, complainant/respondent No. 2 Gurcharan Singh @ Gurcharanjit Singh filed an affidavit dated 27.08.2019 to the effect that he has amicably settled the dispute with the appellants/accused. Noticing the said fact, on 04.09.2019, the parties were directed to appear before the trial Court for recording of their statement in support of the compromise.

In pursuance of the aforesaid direction, a report dated 10.02.2020 has been received from the Sub-Divisional Judicial Magistrate, Ajnala, wherein it is submitted that the matter has been compromised with the free will and voluntary consent of the complainant/respondent No. 2.

Learned counsel for the appellants as well as learned counsel for the complainant/respondent No. 2 submit that since both the parties are the residents of the same village, the compromise has been effected with the intervention of respectables of the village to bring peace and harmony amongst the families of the parties.

Learned State counsel 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 have decided to live in peace and harmony, this Court can

compound the offence.

In view of above, considering the fact that the appellants were convicted only under Sections 324 read with Section 34 of the IPC, the present appeal is partly allowed and the offence in question is compounded and the sentence awarded to the appellants is reduced to the sentence already undergone by them.

However, the fine of Rs. 2,000/- is upheld. In case the same is not deposited, the appellants will deposit the same within a period of two months from today, failing which, the appeal will be deemed to have been dismissed.

The parties shall remain bound by the terms and conditions of the compromise arrived at between them.

03.03.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No