

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

CRR-3215-2019 (O&M)
Date of decision:26.2.2020

MAHENDER AND OTHERS

.....Petitioners

Versus

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Sandeep Goyat, Advocate
for the petitioners.

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioners have approached this Court challenging judgment dated 6.11.2019 passed by the Court of learned Additional Sessions Judge, Hisar whereby an appeal filed by the State through complainant-Jagdish Chander against judgment of acquittal dated 18.11.2015 passed by learned Judicial Magistrate Ist Magistrate, Hisar has been accepted.
2. The Court of learned Additional Sessions Judge, Hisar found the petitioners guilty for having committed offence punishable under Sections 323, 325, 341 IPC and sentenced as under:-

Offence	Sentence	Fine	In Default
Under Section 323/34 IPC	All the accused have been sentenced to undergo RI for six months except accused Ranglal who has been sentenced to undergo SI for six month.	--	--
Under Section 325/34 IPC	All the accused have been sentenced to undergo RI for two years except accused Ranglal who has been sentenced to undergo SI for two years.	₹1,000/-	RI for 2 months each
Under Section 341/34 IPC	SI for fifteen days	—	--

3. By way of filing present petition, the petitioners have challenged the aforesaid judgment. It has been represented on behalf of the petitioners that the parties had effected a compromise and that better sense prevails amongst the parties.
4. Vide order dated 20.1.2020, the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get the statements recorded as regards the genuineness of the compromise.
5. Report of learned Judicial Magistrate Ist Class, Hisar has been received who has stated that he has recorded statements of complainant Jagdish Chander and of the accused namely Mahender, Chhotu, Rameshwar and Ranglal, who have all stated that the matter stands compromised amongst the parties. It has specifically been opined that compromise has been effected voluntarily and without any pressure and maintaining peace and relations.
6. Since the parties, out of their free will, have amicably resolved their issues and have decided to bury the hatchet, they deserve to be given a

chance to live in a cordial atmosphere rather than nursing enmity for rest of their lives. The petition, as such, is accepted and while accepting the revision petition, the conviction of the petitioners as recorded by the learned Additional Sessions Judge, Hisar vide judgment dated 6.11.2019 and order of sentence dated 8.11.2019 are hereby set aside.

7. Consequently, the petitioners stand acquitted.

26.2.2020
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No