

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

**CRM-M No.32518 of 2021
Date of Decision : 06.09.2021**

Sant Lal and another

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Jitender Nara, Advocate
for the Petitioners.

Mr. Anmol Malik, DAG, Haryana
for respondent No.1-State.

Mr. Rajesh Duhan, Advocate
for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

Present petition has been filed for quashing of the Criminal Complaint/Criminal Suit No.RBT-370 of 2011 filed under Sections 323, 324, 452, 506 read with Section 34 of the IPC, 1860, in the Court of Ld. JMIC, Jhajjar (Annexure P-1) and all subsequent proceedings arising out therefrom and the judgment of conviction dated 06.10.2015 and order on quantum of sentence dated 07.10.2015 (Annexures P-2 & P-3) passed by Ld. JMIC, Jhajjar in the above-said complaint on the basis of compromise dated 21.07.2021 (Annexure P-4).

2. The petitioners were convicted of the offences under Sections 323, 324, 452, 506 read with Section 34 of the IPC, 1860 and sentenced accordingly. The judgment of conviction has been challenged in the appeal, which is pending before the Sessions Court at Jhajjar. Now, the instant petition has been filed, since the parties concerned have arrived at a settlement.

3. In view of the compromise and in view of the decision of the Hon'ble Supreme Court in “*Gian Singh Vs. State of Punjab and another*”, 2012(4) RCR (Criminal) 543 and “*Narinder Singh and Others Vs. State of Punjab and Another*”, (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioners/ accused persons.

4. In the circumstances and in view of the decisions of the Supreme Court in “*Gulab Das Vs. State of M.P.*”, 2012 (1) R.C.R. (Criminal) 220 and “*Mukesh Kumar Vs. State of Rajasthan*”, 2013 (11) S.C.C. 511, while sustaining conviction of the petitioners for the offences under Sections 323, 324, 452, 506 read with Section 34 of the IPC, 1860, the matter is disposed off with a direction that no further sentence apart from the one already undergone by them, needs to be suffered by them nor any fine needs to be paid. The Criminal Complaint/Criminal Suit No.RBT-370 of 2011 filed under Sections 323, 324, 452, 506 read with Section 34 of the IPC, 1860, in the Court of Ld. JMIC, Jhajjar (Annexure P-1) and all subsequent proceedings arising out therefrom and the judgment of conviction dated 06.10.2015 and order on quantum of sentence dated 07.10.2015 (Annexures P-2 & P-3) passed by Ld. JMIC, Jhajjar in the above-said complaint, are hereby quashed on the basis of compromise qua the present petitioners.

06.09.2021

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(SUDIP AHLUWALIA)
JUDGE

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