

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR-401-2018 (O & M)
Date of decision: 23.11.2022

Parmod @ Parmalu and ors.

.... Petitioners

V/s

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Rajesh Lamba, Advocate,
for the petitioners.

Mr. Neeraj Poswal, AAG, Haryana.

Ms. Krity, Advocate,
, for Ms. Shailja Sharma, Advocate,
for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The challenge in the present revision petition is to the judgment dated 18.01.2018 passed by the Additional Sessions Judge, Rohtak, vide which the appeal preferred by the petitioners against the judgment of conviction dated 24.10.2016 passed by the Judicial Magistrate Ist Class, Rohtak, was dismissed.

During the pendency of the present revision petition, a settlement was effected between the parties. Therefore, this Court vide order dated 28.05.2019 directed the parties to appear before the Illaqa Magistrate/Trial Court for recording their statements qua the compromise having been effected between them in terms of certain parameters given in the aforesaid order dated 28.05.2019.

In terms of the order dated 28.05.2019 passed by this Court, the parties have appeared before the court of Judicial Magistrate Ist Class, Rohtak, and as per his report dated 10.08.2022, both the parties have got recorded their respective statements in Court.

A perusal of the aforesaid report would show that the parties have effected a genuine compromise without there being any pressure, coercion or undue influence. The counsel for the complainant has also accepted the factum of a compromise between the parties.

The Hon'ble Supreme Court in "***Ramgopal and another versus State of Madhya Pradesh, 2021(4) RCR (Criminal) 322***", has held that in non-compoundable cases of pre-dominantly private nature, even if a compromise is reached after conviction, the proceedings can be quashed under Section 482 Cr.P.C. Further, the compromise in the present case is found to be fully in consonance with the direction issued by the Court in ***Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543.***

In view of the aforesaid report of the Judicial Magistrate Ist Class, Rohtak accompanied by the joint statement of both the parties, the judgment dated 18.01.2018 passed by the Additional Sessions Judge, Rohtak, vide which the appeal preferred by the petitioner was dismissed and also the judgment dated 24.10.2016 passed by the Judicial Magistrate Ist Class, Rohtak, vide which the petitioners were held guilty for commission of offences under Sections 148, 149, 323, 324, 326, 452 and 506 IPC and order dated 26.10.2016 whereby the quantum of sentence was imposed alongwith

all consequential proceedings arising therefrom are hereby set aside/quashed
qua the petitioners herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

November 23, 2022

sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No