

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

Criminal Misc. No.M-43147 of 2020(O&M)
Date of Decision: May 17, 2022

Krishna Rani

...Petitioner

Versus

State of Punjab and another

...Respondents

AND

Criminal Revision No.3800 of 2015(O&M)

Krishna Rani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: Mr. Neeraj Madaan, Advocate for the petitioner.

Mr. R.S. Khaira, AAG, Punjab.

Ms. Ramandeep Kaur, Advocate for

Mr. Jaswinder Singh Grewal, Advocate for respondent No.2.

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HARINDER SINGH SIDHU, J.

This judgment shall dispose of two cases i.e. CRR-3800-2015 and CRM-M-43147-2020, both having arisen out of the same incident and FIR.

Petitioner Krishna Rani and her husband Surjit Singh had faced trial in case FIR No.69 dated 04.05.2012, registered under Section 326, 323 IPC, at Police Station Guruhar Sahai, District Ferozepur. The FIR was

registered on the statement of Darshana Rani.

Vide judgment of conviction and order of sentence dated 07.01.2015 passed by Ld.Sub Divisional Judicial Magistrate, Guruhar Sahai, they were sentenced as under:

Name of accused	U/s	R.I.	Fine	In default S.I.
Surjit Singh	326 IPC	1 Year & 6 Months	Rs.1000/-	One Month
	323/34	8 Months		
Krishna Rani	326/34	1 Year & 6 Months	Rs.1000/-	One Month
	323 IPC	8 Months		

Vide judgment dated 29.07.2015, the appeal filed by the accused was also dismissed by Ld. Sessions Judge, Ferozepur.

CRR-3800-2015 has been filed by accused Krishna Rani challenging the judgments of conviction. She has also filed CRM-M-43147-2020 pleading that during the pendency of the Criminal Revision, the matter has been compromised between the parties with the intervention of the respectable and *panchayati* persons of the vicinity.

Ld. counsel for the petitioner has stated that Surjit Singh, co-accused has already completed the sentence and he has not challenged his conviction. Darshana Rani – complainant has since expired on 19.09.2012. The accused and complainant are members of same family. Krishna Rani – petitioner/accused is *Jethani* (wife of brother of husband) of Darshana Rani – complainant. The sudden unfortunate incident had occurred on account of harvesting of crop. To put an end to the ill-will having arisen due to the

registration of the FIR, the legal heirs i.e. husband and two sons of deceased Darshana Rani, have compromised the matter. The compromise deed (Annexure P-5) states that the litigation pending between the parties has brought to an end in the interest of future peace and harmony between them. It is further submitted that the parties have already faced trauma of criminal proceedings for the past over more than Ten years and they are residents of same village and have decided to forget their past with an intent to live in peace and harmony without having any grudge against each other due to the past incident.

Vide order dated 14.02.2022, the parties were directed to appear before the Ld.Trial Court/Ilaqa Magistrate on 04.04.2022 to get their statements recorded regarding the compromise. The Ld. Magistrate was required to send a report regarding the genuineness of the compromise and also to intimate whether any PO proceedings are pending against any of the party.

The report dated 06.04.2022 has been received from the Ld.Sub Divisional Judicial Magistrate, Guruhar Sahai, wherein, he has reported his satisfaction that the compromise between the parties was effected voluntarily and without any coercion or undue influence and that the same is genuine. On the basis of statement of ASI Baljit Singh, the Ld. SDJM has further reported that none of the accused has been declared as Proclaimed Offender. Except the present case, they are not involved in any other case.

Counsel for the State has not disputed factual assertions and so also the factum of compromise between the parties.

In view of above facts and circumstances, CRM-M-43147-2020 is allowed. The FIR No.69 dated 04.05.2012, registered under Section 326, 323 IPC, at Police Station Guruhar Sahai, District Ferozepur and all subsequently proceedings arising therefrom, including the judgments of conviction dated 07.01.2015 and 29.07.2015 are set aside, **qua petitioner Krishna Rani.**

Criminal Revision No.3800 of 2015 also stands disposed of accordingly.

May 17, 2022

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(HARINDER SINGH SIDHU)

JUDGE

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No