

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

(Heard through VC)

CRM-M-50623 of 2021 (O&M)

Date of Decision: February 28, 2022

Inderjeet Singh

...Petitioner

Versus

State of Haryana and another

...Respondent(s)

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ishaan Bhardwaj, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG Haryana.

Mr. Saroj Malakar, Advocate
for respondent No.2.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 read with Section 320 of the Code of Criminal Procedure seeking compounding of offences under Sections 323 read with Section 149 and 324 read with Section 149 of the Indian Penal Code, as the petitioner stood convicted by the Sub Divisional Judicial Magistrate, Guhla vide judgment dated 12.02.2020(Annexure P/3) and during the pendency of the appeal before the Addl. Sessions Judge, Kaithal, the matter has been amicably settled between the parties vide compromise dated 05.06.2021 (Annexure P-4) all subsequent proceedings arising therefrom in view of the compromise.

The FIR has been registered on the statement of complainant-

Sahab Singh on the allegations that the accused-petitioner inflicted injuries upon him. Now with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before the trial court/Illaq Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from Addl. Sessions Judge at Kaithal (where the appeal against conviction is pending) stating that the compromise arrived at between the parties is without any pressure or coercion from anyone and the same is genuine one.

Learned State counsel, on instructions from the Investigating Officer admits to the factum of compromise and submits that in case the parties have indeed settled their dispute, the State would have no objection to the compounding of the offences in view of the law laid down by the Hon'ble Supreme Court.

I have heard learned counsel for the parties and have gone through the record.

In a decision, based on compromise, none of the parties is a loser. Rather, a compromise not only brings peace and harmony between the parties to a dispute, but also restores tranquility in the society. After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak.

Consequently, keeping in view the fact that the dispute has been amicably settled and in view of the law laid down by the Hon'ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466**, this petition is allowed and the compounding of offences under Sections 323 read with Section 149 and 324 read with Section 149 of the Indian Penal Code is permitted. Consequently, the petitioner stands acquitted.

February 28, 2022
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No