

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr.No.202(2)

Case No. : CRM-M-43073-2018

Date of Decision : February 17, 2023

Manjit Singh Petitioner
vs.
State of Punjab and others Respondents

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH.

* * *

Present : Mr. Jasraj Singh, Advocate
for the petitioner.

Mr. Jaiteshwar Singh Bhandari, AAG, Punjab.

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GURBIR SINGH, J. :

This is a petition under Section 482 Cr.P.C. filed by the petitioner with a prayer to quash FIR No.26 dated 06.03.2011, under Sections 279, 304-A and 427 IPC, registered at Police Station Bullowal, District Hoshiarpur (Annexure P-1). It was also prayed to quash the judgment and order of sentence dated 22.09.2016 (Annexure P-2), passed by learned Judicial Magistrate Ist Class, Hoshiarpur, vide which the petitioner was convicted and sentenced, along with all consequential proceedings arising therefrom, on the basis of compromise entered into between the parties.

In the alternate, it is further prayed that the sentence awarded to the petitioner be reduced to already undergone.

Vide judgment and order of sentence dated 22.09.2016, the

petitioner was convicted and sentenced as under :-

<i>Sr.No.</i>	<i>Offence Convicted under</i>	<i>Sentence Awarded</i>	<i>Fine Imposed</i>
1	Section 304-A IPC	RI for 02 years	Rs.1000/-
2	Section 279 IPC	RI for 02 months	Rs.500/-
3	Section 427 IPC	RI for 01 month	Rs.500/-

All the sentences were ordered to run concurrently.

The petitioner filed appeal for setting aside the aforesaid judgment of conviction and order of sentence dated 22.09.2016 passed against him. The appeal is still pending. It is version of the petitioner that the petitioner has effected compromise with the complainant.

After arguing for some time, learned counsel for the petitioner states that the petitioner would be satisfied if a direction is given to the learned Appellate Court to consider the factum of compromise at the time of disposal of appeal. He further states that he wishes to withdraw the present petition.

In view of the aforesaid statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn.

The learned Appellate Court is directed to consider the factum of compromise between the parties at the time of final disposal of the appeal filed by the petitioner.

February 17, 2023
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(GURBIR SINGH)
JUDGE

<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>