

CRR-1842-2010 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(206)

CRR-1842-2010 (O&M)
Date of Decision:- 18.01.2024

Ram Singh and others

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON’BLE MR. JUSTICE ALOK JAIN

Present: Mr. Raj Kapoor Malik, Advocate for the petitioners.

Mr. Tanuj Sharma, AAG, Haryana.

None for the complainant.

ALOK JAIN, J. (Oral)

1. The present revision had been filed raising challenge to the order dated 01.07.2010 passed by the learned Additional Sessions Judge, Kaithal, whereby, the Court of Additional Sessions Judge had allowed the appeal of the State and set aside the judgment dated 20.12.2008 passed by the Judicial Magistrate 1st Class, Kaithal and had directed the trial Court to reconsider the entire material available on the records of the case.

2. Learned counsel for the petitioners has submitted that an FIR bearing No. 456 was lodged on 07.10.2003 under Section 332, 353, 325 and 186 of Indian Penal Code and during its trial, a Mega Lok Adalat was held on 20.12.2008, whereby, the accused had confessed their guilt and were convicted for one day and were imposed with a fine.

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3. The petitioners abided by that order and had duly deposited the fine, however, the said order was challenged by the State, that too after almost two months. Learned counsel for the petitioners submits that more than 20 years have passed and he is not even aware as to whether the petitioners are alive or not. More so, the impugned order dated 01.07.2010 was also stayed by this Court on 07.07.2010.
4. After hearing learned counsel for the parties, the present revision deserves to be allowed as a right had accrued in favour of the petitioners once they were convicted and had paid the fine and underwent the imprisonment awarded. More so, no useful purpose would be served as it would be an exercise in futility to reopen the matter which was duly compromised in the Mega Lok Adalat as the petitioners confessed to their guilt. Though on legal aspect the question is kept open as to whether the matter could have been resolved in a Mega Lok Adalat or not.
5. In light of the above, the present revision stands allowed and the order dated 01.07.2010 passed by learned Additional Sessions Judge, Kaithal is set aside.
6. All pending miscellaneous application(s), stands disposed of.

(ALOK JAIN)
JUDGE

January 18, 2024
Parul

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No