

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

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**2024:PHHC:062110
CRR-3012-2017 (O&M)
Date of decision: May 02, 2024**

RANI

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Mr. Rajesh Gaur, Additional Advocate General, Haryana.

Mr. A.S. Brar, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner has filed an application CRM-27410-2021 under Section 320 of the Cr.P.C. for compounding of the offence on the basis of compromise arrived at between the parties. Since the matter stands amicably settled between the parties, on a joint request made by the counsel for the parties, the main case has also been taken up for hearing.

2. Through the instant revision petition, the petitioner is impugning the judgment dated 04.08.2017 passed by learned Additional Sessions Judge, Kurukshetra, vide which appeal of the complainant had been accepted and the judgment dated 05.01.2016 passed by learned Judicial Magistrate 1st Class, Kurukshetra was set aside, whereby the petitioner had been acquitted for offence under Sections 452, 323 and 325 of the Indian Penal Code, 1860 and sentenced to undergo rigorous imprisonment for a period of 3 years under Section 452 as well as Section 325 IPC and to pay a fine to the tune of Rs.5,000/- and rigorous imprisonment for a period of 1 year under Section 323 IPC and to pay a fine of Rs.1,000/-.

3. Learned counsel for the petitioner, *inter alia*, contends that subsequent to his conviction under Sections 452, 323 and 325 of the Indian Penal Code, 1860, vide order dated 04.08.2017 passed by learned Additional Sessions Judge, Kurukshetra, the parties had effected a compromise by way of compromise deed dated 12.07.2021 (Annexure A-1) as the cheque amount in question stood paid to the complainant and which had subsequently been also accepted by him. A prayer has, therefore, been made for compounding the offence on the basis of compromise arrived at between the parties. In support, he has relied upon ***Tilak Kataria Vs. State of Haryana and another 2021(3) RCR (Criminal) 404.***

4. Learned counsel for the complainant does not dispute the submissions made by the counsel opposite and also does not oppose his prayer for compounding the offence.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. In view of the fact that the parties have amicably settled their dispute, and the petitioner has paid the entire amount to the respondent/complainant, CRM-27410-2021 stands allowed and the judgment dated 04.08.2017 passed by the learned Additional Sessions Judge, Kurukshetra is set aside.

7. Since, the application for compounding of offence is allowed, the instant revision petition also stands allowed.

May 02, 2024

Jaspreet Kaur

(MANJARI NEHRU KAUL)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No