

In the High Court for the States of Punjab and Haryana
at Chandigarh

103

CRA-S-1652-SB-2010 (O&M)
Date of Decision:- 13.11.2025

Sheo Chand and others ... Appellants

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Gautam Dutt, Senior Advocate with
Mr. Karan Pathak, Advocate for the appellants.

Mr. Karan Veer Singh, Sr. DAG, Haryana.

Mr. Varun Suman, Advocate,
for the complainant.

SUBHAS MEHLA, J. (Oral)

1. The appellants, herein, filed the instant appeal challenging the judgment of conviction dated 14.06.2010 and order of sentence dated 15.06.2010 in case bearing FIR No.413 dated 17.08.2025 registered under Sections 148, 149, 323, 324, 325, 307 and 506 of IPC at Police Station Sadar, Gurgaon, passed by learned Additional Sessions Judge, Gurgaon, vide which, the appellants have been convicted and sentenced to undergo as under:-

Offence u/Sections	Sentence	Fine (each)	In default of payment of fine
307 IPC	RI for 03 years	Rs.2000/-	RI for 06 months
325 IPC	RI for 02 years	Rs.1000/-	RI for 04 months
324/323/506/148 of IPC	RI for 06 months	—	—

However, the aforesaid sentences were ordered to run concurrently.



CRM-M-64112-2025 (O&M)

(2)

2. The present appeal was admitted on 26.07.2010, thereafter, sentence of appellants No.1 to 3 and 5 to 10 was suspended during the pendency of the present appeal vide order dated 26.07.2010, and thereafter, on 07.02.2011, sentence of appellant No.4 was suspended during the pendency of the appeal.

3. A perusal of order dated 27.08.2025 passed by this Court shows that the present dispute is between the family members and a compromise has been effected between the parties.

4. Learned counsel for the appellants submits that he does not want to assail the judgment on the point of conviction, he only wants to assail the same on the order of quantum of sentence as a compromise has been effected between the parties.

5. Vide order dated 16.09.2025, the parties were directed to appear before the Chief Judicial Magistrate concerned for recording of their statement in view of the compromise arrived at.

6. In compliance thereof, report from the Court of learned Chief Judicial Magistrate, Gurugram along with statements of the parties has been received, in which, it is mentioned that the parties have entered into a compromise voluntarily and without any coercion and undue influence. However, one accused Sheo Chand had already expired and his death certificate has also been filed along with the statements of parties.

7. The Hon'ble Apex Court in ***Sy. Azhar Sy. Kalandar Vs. State of Maharashtra & Anr., 2021 AIR Supreme Court 4298*** decided on 13.09.2021, took sympathetic view and reduced the quantum of sentence



CRM-M-64112-2025 (O&M)

(3)

taking into consideration of compromise arrived at between the parties. The operative part of which is as under:-

“ XXX

11. In almost the same circumstances which have been noticed by us, a three Judge Bench of this Court in a recent judgment in *Murali v. State* represented by *Inspector of Police 2021(1) SCC 726*, where the parties decided to forgive their past and live amicably, this Court has come to their rescue by interfering in the quantum of sentence which obviously is not compoundable under Section 320 Cr.P.C., 1973 but has interfered since there is no minimum sentence prescribed. This Court in *Murali (supra)*, has taken note of the judgment of this Court in ***Ram Pujan and Others v. State of U.P . 1973(2) SCC 456*** which was further followed by this Court in ***Ishwar Singh v. State of M.P. 2008(15) SCC 667*** and the later decisions as referred to in paras 11 and 12 of the judgment has taken note of the compromise between the parties to reduce the sentence of the convicts even in serious non-compoundable offences. The relevant paras are as follows:-

"11. In later decisions including in *Ram Lal v. State of J&K (1999) 2 SCC 213*; *Bankat v. State of Maharashtra (2005) 1 SCC 343*; *Mohar Singh v. State of Rajasthan (2015) 11 SCC 226*; *Nanda Gopalan v. State of Kerala (2015) 11 SCC 137*; *Shankar v. State of Maharashtra (2019) 5 SCC 166*, this Court has taken note of the compromise between parties to reduce the sentence of the convicts even in serious non-compoundable offences.



12. Given this position of law and the peculiar circumstances arising out of subsequent events, we are of the considered opinion that it is a fit case to take a sympathetic view and reconsider the quantum of sentences awarded to the appellants. We say so because: first, the parties to the dispute have mutually buried their hatchet. The separate affidavit of the victim inspires confidence that the apology has voluntarily been accepted given the efflux of time and owing to the maturity brought about by age. There is no question of the settlement being as a result of any coercion or inducement. Considering that the parties are on friendly terms now and they inhabit the same society, this is a fit case for reduction of sentence."

12. Taking into consideration the facts of the instant case and the circumstances arising out of the subsequent events, in our opinion, it is a fit case to take a sympathetic view and reconsider the quantum of sentence awarded to the appellant. We have recorded our satisfaction, based on the reasons, that the parties to the dispute have mutually settled their disputes and buried their past.

XXX"

8. Having heard learned counsel for the appellants and also having perused the impugned judgment, this Court does not find any infirmity in the findings as regards conviction. Since the parties have entered into a compromise, this Court finds that there is some room for reduction in sentence of imprisonment. Consequently, the appeal is partly accepted to the limited extent of quantum of sentence, which is reduced to the one already undergone. The fine as imposed upon the appellants shall, however, remain



CRM-M-64112-2025 (O&M) (5)

unaltered.

9. The appeal stands partly accepted in above mentioned terms.

13.11.2025
Geeta

(SUBHAS MEHLA)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No