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

Date of decision: 20.05.2025

1. CRA-S-1942-SB-2004 (O&M)

Sanjay

... Appellant

Vs.

State of Haryana

... Respondent

2. CRR-389-2005 (O&M)

Jaikaran

... Petitioner

Vs.

Sanjay and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Maneet Kaushik, Advocate for
Mr. Ashit Malik, Advocate
for the appellant (in CRA-S-1942-SB-2004).

None for the petitioner (in CRR-389-2005)
and for the complainant (in CRA-S-1942-SB-2004).

Ms. Geeta Sharma, DAG, Haryana.



HARPREET SINGH BRAR, J. (ORAL)

1. This common judgment shall dispose of aforementioned two cases i.e. an appeal (***CRA-S-1942-SB-2004***) preferred by appellant-Sanjay, against the judgment of conviction and the order of sentence dated 22.09.2004 passed by learned Additional Sessions Judge, Panipat, in FIR No.197 dated 14.05.2002 under Sections 498-A, 406, 506, 326, 307 of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Chandni Bagh, Panipat, whereby the appellant was convicted and sentenced under Section 498-A of IPC and was ordered to undergo rigorous imprisonment for a period of 03 years and to pay a fine of Rs.25,000/- along with default mechanism and further, out of fine amount of Rs.25,000/-, learned trial Court ordered to pay Rs.22,000/- to victim Poonam as compensation and the revision petition i.e. ***CRR-389-2005***, filed by the petitioner-complainant, namely Jaikaran, seeking enhancement of the sentence awarded to respondent No.1 to the extent of convicting him under Sections 326, 307, 506, 406 of IPC as well and also for convicting respondents No.2 to 4 for the offence punishable under Sections 498-A, 406, 506, 326, 307 of IPC.

2. On 07.11.2016, the Coordinate Bench of this Court passed the following order in CRM Nos.29763 & 29764 of 2016 in CRA-S-1942-SB-2004: -

“The present appeal against the judgment of conviction dated

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22.09.2004 has been admitted on 07.10.2004 and the interim bail granted to the petitioner was extended till further orders. During the pendency of the appeal, the matter has been compromised. Learned counsel for the petitioner has placed on record compromise dated 09.09.016 (Annexure A-1) between the parties.

As per compromise Annexure A-1, FAO No.M-172 of 2008 is pending adjudication before this Court against the judgment dated 07.04.2008 thereby, petition under Section 13 of HMA was dismissed by the Court of Addl. District Judge, Panipat.

Learned counsel for the respondent-complainant has put in appearance and placed on record the joint statement made by petitioner and Smt. Poonam in a petition under Section 13B of Hindu Marriage Act on 30.08.2016. Joint statement made by both the parties as under:-

“Our marriage took place on 26.02.1995, at village Ugra Kheri Panipat and one male child was born out of the said wed lock and he was expired in the year 2012. Now our relations becomes strain and we are unable to live together as husband and wife. Many efforts were done by us, our family members, relatives, common friends and respectable of the society have completely failed and now there is no chance of our reconciliation/rehabilitation. It is irretrievably broken marriage but still we are unable to live together and we are seeking divorce with our consent without any force or pressure. The petitioners are living separately since 12.03.2002. All the rival claims of both of us have been settled. Dowry articles and istridhan has been handed over to petitioner No.1. Both the parties have exchanged their articles and nothing is due towards any of the party. Our marriage may kindly be dissolved by mutual consent.”

Learned counsel for the complainant has also informed the Court that during the pendency of this appeal, complainant had



died and compromise has now been effected between his daughter-Smt. Poonam and petitioner.

Learned counsel for the petitioner has submitted that applicant/appellant was convicted by the learned Additional Sessions Judge, Panipat, vide impugned judgment dated 22.09.2004 for the offence under Section 498A and sentenced to RI for 3 years and fine of Rs.25,000/-. The applicant/appellant had filed the present appeal against the impugned judgment of conviction dated 22.09.2004 which is pending adjudication before this Court. He further submits that applicant/appellant had also filed a petition under Section 13 of HMA for grant of divorce from Smt. Poonam which was dismissed by the learned Distt. Judge, Panipat. The applicant/appellant had also filed an appeal against the said judgment vide FAO-M No.172 of 2008 which is still pending adjudication before this Hon'ble Court. During the pendency of this appeal with the intervention of the respectable and relatives of both the parties as well as Panchayat of both the Villages, parties have entered into a compromise to accord a quietus to the dispute and live peacefully. It is agreed that applicant/appellant shall withdraw the appeal FAO-M-172 of 2008 filed by him against the judgment dated 07.04.2003 whereby the petition under Section 13 of HMA was dismissed and it was further agreed between the parties that complainant and daughter of the complainant-Smt. Poonam would have no objection if the offence for which the applicant/appellant was convicted be compounded. Further they have undertaken before this Hon'ble Court to make the statement regarding compromise and will have no objection if applicant/appellant is acquitted of the charges. In view of the above submissions, learned counsel



for the applicant/appellant has prayed that applicant/appellant be permitted to compound the offence with the complainant and Smt. Poonam and be acquitted of charge.

In view of the above and keeping in view of the compromise Annexure A-1, offence under Section 498A IPC the applicant/appellant was convicted is compounded and applicant/appellant is acquitted of the charges framed against him.

Applications stands disposed of.”

3. In view of the aforesaid order dated 07.11.2016, vide which the offence under Section 498-A of IPC was compounded and appellant Sanjay was acquitted of the charges framed against him, no further orders are required to be passed. Accordingly, both these cases i.e. the appeal (**CRA-S-1942-SB-2004**) and the revision petition (**CRR-389-2005**) stand disposed of.

4. All the pending miscellaneous application(s), if any, shall stand disposed of.

5. Photocopy of this order be placed on the file of connected case.

20.05.2025
vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No