



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

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Date of decision: 28.02.2025

1. CRR No.3448 of 2017 (O&M)

Israr and others

....Petitioners

Versus

State of Haryana

....Respondent

2. CRR No.3822 of 2017 (O&M)

Aaseem

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ramnish Puri, Advocate
for the petitioners in CRR-3448-2017.

Mr. Ravi Malik, Advocate
for the petitioner in CRR-3822-2017.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

HARPREET SINGH BRAR J. (Oral)

1. Vide this common order, I intend to dispose of CRR Nos.3448 and 3822 of 2017, as common questions of law and facts are involved for adjudication.

2. Both these revision petitions have been preferred against the judgment dated 14.09.2017 passed by learned Additional Sessions Judge, Yamunar Nagar at Jagadhri vide which the judgment of conviction and order of sentence dated 23.02.2015, passed by learned

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Judicial Magistrate Ist Class, Yamuna Nagar at Jagadhri, whereby the petitioner(s) have been convicted and sentenced to undergo rigorous imprisonment for a period of 06 months and to pay a fine of Rs.2,000/- each, have been upheld.

3. During the pendency of the present petitions, the matter has been compromised between the parties and this Court on 28.01.2025, has passed the following order:-

“Learned counsel for the petitioner(s) relies upon the ratio of judgment passed by Hon’ble Supreme Court in Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834 and submits that petitioners and the complainant are residents of same village and after the intervention of respectables of the village, they have effected a compromise and the complainant has no objection in case the impugned judgment of conviction and order of sentence are set aside and the petitioners are acquitted of the charges.

Mr. Abhishek Pundir, Advocate has put in appearance and filed his memo of appearance on behalf of respondent(s)-complainant. He undertakes to file his power of attorney on or before the next date of hearing and submits that he has no objection if the present petitions are allowed.

In view of the above parties are directed to appear before the learned trial Court/Illaq Magistrate within a period of two weeks or any other date convenient to the trial Court/Illaq Magistrate to get their statements recorded regarding the compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of the compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 28.02.2025.

A copy of this order be sent to learned trial Court/Illaq Magistrate through fax for compliance.

A photocopy of this order be placed on the file of other connected case.”

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4. In compliance of the aforesaid order, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone.

5. In view of the compromise and the ratio of law laid down by the Hon'ble Supreme Court in *Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466, Ram Gopal and another vs State of Madhya Pradesh*, 2021 SCC OnLine SC 834 and *Shakuntala Sawhney (Mrs) vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63* and Full Bench of this Court in *Kulwinder Singh vs. State of Punjab 2007 (3) RCR (Crl.) 1052*, both these petitions are allowed. The judgment of conviction and order of sentence dated 23.02.2015, passed by learned Judicial Magistrate Ist Class, Yamuna Nagar at Jagadhri and the judgment dated 14.09.2017 passed by the learned Additional Sessions Judge, Yamunar Nagar at Jagadhri, and all other subsequent proceedings arising out of the same are set-aside and the petitioner(s) are acquitted of the charges framed against them and their bail bonds and surety bonds, if any, also stand discharged.

6. A photocopy of this order be placed on the file of other connected case.

(HARPREET SINGH BRAR)
JUDGE

28.02.2025

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No