



125 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRR-1302-2025 (O&M)

Date of Decision: 19.05.2025

JASPAL SINGH AND ANOTHER

...Petitioners

V/S

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Digvijay Nagpal, Advocate with
Ms. Deepika Rani, Advocate for the petitioners.
Mr. Subhash Godara, Addl. AG Punjab.
Mr. Rakeshinder Singh Sidhu, Advocate
for respondent No. 2.

HARPREET SINGH BRAR J. (Oral)

1. Present revision petition has been filed against the judgment dated 25.04.2025 passed by learned Additional Sessions Judge, Patiala vide which judgment of conviction and order on quantum of sentence dated 21.02.2024 passed by learned Judicial Magistrate Ist Class, Patiala have been upheld, in case arising out of FIR No. 259 dated 09.12.2021 under Sections 325, 323, 341 506 and 34 of Indian Penal Code registered at Police Station Lahori Gate, Patiala, wherein the petitioners have been convicted under Sections 325, 323, 341, 506 of Indian Penal Code (hereinafter to be referred as 'IPC') and sentenced as followed:

Convict-petitioner No. 2 Sunny Singh			
Conviction under Section(s)	Sentence awarded	Fine	Sentence in default of payment of fine
325 of IPC	Rigorous imprisonment for 01 year and 06 months	Rs. 1,000/-	Imprisonment for 01 month
323 of IPC	Rigorous imprisonment for 06 months	Rs. 500/-	Imprisonment for 10 days
341 of IPC	Simple imprisonment for 01 month	-	-
506 of IPC	Rigorous imprisonment for 06 months	Rs. 500/-	Imprisonment for 10 days



Convict-petitioner No. 1 Jaspal Singh			
Conviction under Section(s)	Sentence awarded	Fine	Sentence in default of payment of fine
325 of IPC	Rigorous imprisonment for 01 year and 06 months	Rs. 1,000/-	Imprisonment for 01 month
323 of IPC	Rigorous imprisonment for 06 months	Rs. 500/-	Imprisonment for 10 days
341 of IPC	Simple imprisonment for 01 month	-	-
506 of IPC	Rigorous imprisonment for 06 months	Rs. 500/-	Imprisonment for 10 days
All sentences were ordered to run concurrently			

2. Learned counsel for the petitioners (wrongly mentioned as appellants) *inter alia* contends that petitioners are not involved in any other case and they are having clean antecedents. The dispute between the petitioners and complainant-respondent No. 2 has been amicably settled in terms of the compromise and affidavit of respondent No. 2, which is available on record as Annexures P-1 and P-2 respectively. Learned counsel for the petitioners relies upon the judgment of Hon'ble Supreme Court in **Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834** and submits that FIR and judgment of conviction and order of sentence can be quashed on the basis of compromise.

3. Notice of motion.

4. Mr. Subhash Godara, Addl. AG Punjab, who is present in the Court accepts notice on behalf of respondent No. 1-State and Mr. Rakeshinder Singh Sidhu, Advocate has put in appearance on behalf of complainant-respondent No. 2-Kunal Kumar and filed his power of attorney. Same is taken on record.



5. Learned counsel for complainant-respondent No. 2 admits the factum of compromise in terms of compromise and affidavit Annexures P-1 and P-2 respectively and submits that respondent No. 2 has no objection in the case the present petition is allowed and the FIR(supra) and the judgment of conviction and order of sentence are set aside qua the petitioners and they are acquitted of the charges framed against them.

6. 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** and **Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834, 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**, this petition is allowed and FIR No. 259 dated 09.12.2021 under Sections 325, 323, 341, 506 and 34 of Indian Penal Code registered at Police Station Lahori Gate, Patiala along with judgment dated 25.04.2025 passed by learned Additional Sessions Judge, Patiala and judgment of conviction and order on quantum of sentence dated 21.02.2024 passed by learned Judicial Magistrate Ist Class, Patiala along with all subsequent proceedings arising therefrom are quashed/set aside, qua the petitioners and they are acquitted of the charges framed against them.

7. Further, the petitioners be released from judicial custody forthwith, if their custody is not required in any other case.

8. Pending CRM(s), if any, are also disposed of accordingly.

(HARPREET SINGH BRAR)
JUDGE

19.05.2025

Ajay Goswami

Whether speaking/reasoned Yes/No
Whether reportable Yes/No