



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

**CRA-S-1562-SB-2005 (O&M)  
Date of decision: 15.09.2025**

AJAIB SINGH AND ANOTHER

...Appellants

VERSUS

STATE OF PUNJAB

...Respondent

**CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

Present:     Mr. Amit Kumar Walia, Advocate  
                  for the applicant/appellant No.2.

                  Mr. Rahul Jindal, AAG, Punjab.

                  Ms. Jaishree Kaushik, Advocate  
                  for the complainant.

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**YASHVIR SINGH RATHOR, J. (Oral)**

**CRM-15424-2025**

For the reasons mentioned in the application, the same is allowed and the main appeal is taken on board today itself.

CRM stands disposed of.

**CRM-35026-2023**

The present application has been filed under Section 482 Cr.P.C. for disposing of the appeal, in view of the compromise effected between the complainant and the accused.

Allowed as prayed for.



**CRA-S-1562-SB-2005**

1. Present appeal has been filed by the appellants against the judgment and order dated 31.08.2005 whereby the appellant Ajaib Singh has been sentenced to undergo rigorous imprisonment for a period of three years and to pay a fine of Rs.2000/- under Section 307 of IPC and appellant Nirbhai Singh has been sentenced to undergo rigorous imprisonment for a period of three years and to pay a fine of Rs.2000/- under Sections 307/34 of IPC.

2. During pendency of the appeal, one of the appellant namely Ajaib Singh has died.

3. Thereafter, the dispute has been settled between the parties and the statement of injured Niranjan Singh and complainant along with that of appellant namely Nirbhai Singh have been recorded in which the complainant and injured stated that they have entered into a compromise with the appellant Nirbhai Singh voluntarily, without any coercion, under influence or under any threat or pressure. They further stated that they have no objection in case FIR in question is quashed against the accused. They further stated that accused Ajaib Singh has died during pendency of the appeal.

4. Accused Nirbhai Singh also made a statement admitting the factum of compromise with the complainant and victim and further stated that compromise has been entered into voluntarily without any coercion, threat or undue influence.



5. As such from the statements of the parties, it is established that the dispute has been amicably settled. Hon'ble Supreme Court in 2009(1) RCR (Criminal) 1 '**Ishwar Singh Vs. State of Madhya Pradesh**' has held that in case a compromise is effected between the parties in a non-compoundable offence, the same is not to be compounded but the factum of compromise has to be kept in mind while imposing the sentence. In **Ishwar Singh's case (supra)**, the accused was sentenced to undergo imprisonment for three years for the offence punishable under Section 307 of IPC and appeal filed before the High Court was dismissed but compromise was entered into between the parties during pendency of the appeal before the Supreme Court and the Hon'ble Supreme Court reduced the sentence to the period already undergone taking into consideration the compromise entered into between the parties.

6. In the present case also, the parties are brothers and belong to the same family and since matter has been amicably settled, I see no impediment in accepting the compromise and in reducing the sentence awarded to appellant Nirbhai Singh. Accordingly, the appeal in hand is dismissed but appellant Nirbhai Singh is sentenced to undergo imprisonment for the period already undergone by him i.e. 06 months and 28 days, as per the custody certificate placed on file. However, there will be no alteration in this amount of fine imposed by the trial Court but in addition to the fine, a sum of Rs.10,000/- is imposed as cost of



proceedings to be deposited with Punjab State Legal Services Authority Disaster Relief Fund in the following account:-Account No.-44426937384, IFSC Code-SBIN0014656, Bank-SBI, Sector-68, SAS Nagar.

7. In view of the above, the present appeal is disposed of.
8. Pending misc. application(s), if any, shall also stand disposed of.

**(YASHVIR SINGH RATHOR)**  
**JUDGE**

**15.09.2025**  
Priyanka Thakur

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