

2025:PHHC:053244



S. No. 337

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

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**CRA-S-45-SB of 2006 (O&M)**

**Date of Decision:25.04.2025**

**Sudarshan and others**

**.....Appellants**

**Vs.**

**State of Haryana**

**.....Respondent**

**CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present:- Mr. Tarun Yadav, Advocate for the appellants.  
Mr. R.K.S. Brar, Addl. AG, Haryana.

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**DEEPAK GUPTA, J. (Oral)**

The four appellants, namely, Sudarshan, Ram Niwas, Rameshwar and Sujan were convicted by the trial Court vide judgment dated 16.12.2005 under Sections 447/34 and 323/34 IPC. In addition, Sujan was also convicted under Sections 506 and 436 IPC.

2. Vide order of sentence dated 19.12.2005, all four of them were sentenced to undergo rigorous imprisonment for a period of three months along with fine of ₹500/- and in default thereof, to undergo rigorous imprisonment for seven days for committing offence under Section 447/34 IPC and rigorous imprisonment for a period of six months for committing offence under Section 323/34 IPC along with fine of ₹1,000/- and in default thereof, to undergo rigorous imprisonment for 15 days. In addition, Sujan was sentenced to undergo rigorous imprisonment for a period of six months for committing offence under Section 506 IPC along with fine of ₹1,000/- and in default thereof, to undergo rigorous imprisonment for 15 days and he was also sentenced to undergo rigorous imprisonment for a period of three years for committing offence under Section 436 IPC along with fine of ₹3,000/- and in default thereof, to undergo rigorous



imprisonment for one month. All the substantive sentences were directed to run concurrently.

3. Against the afore-said conviction, the present appeal was filed.

4. Later on, an application bearing CRM No.14090 of 2017 was moved under Section 320 read with Section 482 Cr.P.C to allow the appellants to compound the offences inasmuch parties had settled their grievances and reached the compromise so as to maintain peace, harmony and cordial relations in future. Copy of the compromise Annexure A.1 was placed on record which is duly signed by the injured-complainant, namely, Om Parkash, Promila and Santra.

5. Learned counsel for the appellants submits that the occurrence had taken place wayback in August, 2000. At the time of conviction, the four appellants- convicts were in the age group of 35 to 50 years and by now, all of them are above 60 years.

6. Learned State Counsel has no serious objection so as to allow the application bearing CRM No.14090 of 2017.

7. Having regard to the totality of the circumstances, particularly the advanced age of the appellants and the fact that more than 20 years have passed since date of recording the conviction, I allow the application bearing CRM No.14090 of 2017 and permit the applicants- appellants to compound the offence with the injured party.

8. Consequent to the above, present appeal i.e. CRA-S-45-SB of 2006 is accepted by setting aside the conviction and sentence as compounding of the offence will tantamount to acquittal of the accused under Section 359(8) of BNSS (old Section 320(8) Cr.P.C.).

**April 25, 2025**  
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**( DEEPAK GUPTA )**  
JUDGE

Whether Speaking/reasoned Yes/No  
Whether Reportable Yes/No