



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

CRR-2170-2007 (O&M)

Date of decision: 01.05.2025

Naresh Kumar

....Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. V.K. Handa, Advocate
for the petitioner.

Ms. Geeta Sharma, DAG, Haryana.

HARPREET SINGH BRAR, J. (ORAL)

The present revision petition has been filed for setting aside the judgment of conviction and order of sentence dated 30.03.2006 passed by the learned Judicial Magistrate 1st Class, Narwana, vide which the petitioner was convicted and sentenced to undergo rigorous imprisonment for a period of one year and to pay fine of Rs.1,000/- under Section 420 of IPC and further for setting aside the judgment dated 12.11.2007 passed by the learned Additional Sessions Judge, Jind.

On 24.03.2025, the following order was passed:-

'Learned counsel for the petitioner relies upon the order dated 18.03.2020 passed by Judicial Magistrate Ist Class, Narwana and submits that the complainant had appeared before the Court below in compliance of the order passed by this Court on 03.03.2020 and both the petitioner and complainant got their statements recorded to the effect that dispute has been amicable settled between the parties. The statements in original have been forwarded to this Court.

Photocopy of the order dated 18.03.2020 passed by learned Judicial Magistrate Ist Class, Narwana, is retained on record.



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Perusal of previous orders reveal that Mr. Rajender Goel, Advocate had put in appearance on behalf of respondent No. 2 on 12.05.2023 and he submitted that he has no instructions qua the factum of compromise.

Thereafter, none had put in appearance on behalf of respondent No. 2 and registry was directed to inform the counsel for respondent No. 2 vide order dated 16.12.2023 passed by a Co-ordinate Bench of this Court.

In view of the above, jurisdictional police authorities are directed to effect service upon respondent No. 2 and also file appropriate affidavit as to whether the respondent No. 2 has made a statement before the Judicial Magistrate Ist Class, Narwana on 18.03.2020 after accepting the full and final amount as per the settlement between the parties.

List on 01.05.2025.'

In compliance thereof, a reply by way of an affidavit dated 30.04.2025 of Sh. Amit Bhatia, HPS, Deputy Superintendent of Police, Narwana, District Jind, is filed in the Court today by the learned State counsel and the same is taken on record.

The learned State counsel refers to para 7 of the reply and submits that in compliance of the directions issued by this Court, the statement of the parties were recorded in terms of the compromise by the learned Judicial Magistrate 1st Class, Narwana. The statements of the petitioner as well as respondent No.2 were recorded on 18.03.2020. Copies of the statements as well as report of the learned trial Court is annexed with the status report as Annexures R-1 to R-3.

In view of the compromise and the ratio of law laid down by the Hon'ble Supreme Court in '**Ramgopal and another Vs. State of Madhya Pradesh**' 2021 SCC OnLine SC 834, **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466, Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63** and Full Bench of this Court



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in **Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (CrI.) 1052**, this revision petition is allowed and the impugned judgment of conviction and order of sentence dated 30.03.2006 passed by the learned Judicial Magistrate 1st Class, Narwana and judgment dated 12.11.2007 passed by the learned Additional Sessions Judge, Jind, are hereby set aside and the petitioner is acquitted of the charges against him. His bail bonds/surety bonds stands discharged.

(HARPREET SINGH BRAR)
JUDGE

01.05.2025

Neha

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