

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl) No(s).5712/2010

(From the judgement and order dated 08/03/2010 in CRLR No. 587/2003 of the HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

BHARAT & ORS.

Petitioner(s)

VERSUS

STATE OF HARYANA

Respondent(s)

Date: 25/08/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM
HON'BLE MR. JUSTICE R.M. LODHA

For Petitioner(s)

Mr. Neeraj Kumar Jain, Sr. Adv.
Mr. Sushant Kumar, Adv.
Mr. U.S. Prasad, Adv.

For Respondent(s)

Ms. Abha R. Sharma, Adv.
(for impleading party)

UPON hearing counsel the Court made the following
O R D E R

Application for impleadment is allowed.
Counsel for the petitioners shall file the amended memo of parties within two weeks.

The petitioners are convicted under Section 325, 324 and 323 read with Section 34 of the Penal Code and are sentenced to undergo one year's, nine months' and six months' rigorous imprisonment respectively under the aforesaid three sections. The sentences are to run concurrently. Their conviction has been maintained upto the High Court.

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Before this Court it is stated that the matter has been compromised and a prayer is made to compound the offences. The statement made on behalf of the petitioners is supported by the informant, who is represented through Ms. Abha R. Sharma, Advocate.

Though, as the law stands today, Section 324 is no longer compoundable, but in this case, the occurrence took place on September 15, 1996. On that date, Section 324 used to be compoundable and it has been taken out of the list of compoundable offences only by the amendment to the Code of Criminal Procedure, 1973 introduced on June 23, 2006.

Counsel for the petitioners submits that since on the date on which the offence was committed it was compoundable, it would remain so for the petitioners. In respect of the submission, he relies upon a decision of this Court in Md. Abdul Sufan Laskar & Ors. v. State of Assam, (2008) 9 SCC 333.

The informant has put in appearance through counsel.

Issue notice to the State of Haryana.

(N.S.K. Kamesh)
Court Master

(S.S.R. Krishna)
Court Master