

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION



CRIMINAL APPEAL NO.772 OF 2022  
(Arising out of SLP(Criminal) NO.4062 OF 2022)

ARJUN DNYANESHWAR GHORASE

APPELLANT(S)

VERSUS

STATE OF MAHARASHTRA

RESPONDENT(S)

O R D E R

Leave granted.

Challenging the order impugned dated 01.02.2022 passed by the High Court of Bombay in Criminal Revision No.21 of 2022 dismissing the petition maintaining the conviction and sentence for the charges under Sections 354-A and 451 of the Indian Penal Code (for short 'IPC'), present appeal has been preferred alongwith the application for permission to compound the offences.

The complainant/victim represented through counsel concedes that the compromise had been entered into and urged that the offence under Section 451 IPC is compoundable but the offence under Section 354-A IPC is non-compoundable. It is further urged that as the dispute has been settled and the complainant as well as the



accused are leading their life peacefully, therefore, in the interest of both the parties, it is better to grant the permission for compounding.

Learned counsel representing the State of Maharashtra has fairly stated before the Court that even in non-compoundable cases this Court can grant permission if the parties want to lead their life for future betterment and maintain social order without affecting the society. The reliance has been placed on the judgment in Ningappa vs. State of Karnataka [(2019) 14 SCC 597].

Considering the aforesaid and in the facts and circumstances of this case, the parties who are altogether to the same age and are living their life peacefully in society, if the permission of compounding is granted for offence under Section 354-A IPC, it would not adversely affect the society or any social order.

Accordingly, the application filed for compounding alongwith the appeal seeking prayer for compounding is granted for the offence under Section 354-A IPC as well as under Section 451 IPC in view of the judgment in Ningappa vs. State of Karnataka (supra). As the permission for compounding is granted, therefore, the conviction and sentence passed by the Trial Court vide order dated 10.04.2018, affirmed on 11.01.2022 and also in revision by the High Court on 01.02.2022 stands set

aside. The appellant is in jail, therefore, he be released immediately by the jail authorities.



With the aforesaid, the appeal is disposed of.

.....J.  
(VINEET SARAN)

.....J.  
(J.K. MAHESHWARI)

New Delhi  
May 09, 2022



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 (CrI.) No(s).4062/2022

(Arising out of impugned final judgment and order dated 01-02-2022 in CRLRA No.21/2022 passed by the High Court Of Judicature At Bombay At Nagpur)

ARJUN DNYANESHWAR GHORASE

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA

Respondent(s)

(FOR ADMISSION and I.R. and IA No.64786/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.64789/2022-INTERVENTION/IMPLEADMENT and IA No.64787/2022-PERMISSION TO COMPOUND THE OFFENCE)

Date : 09-05-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VINEET SARAN

HON'BLE MR. JUSTICE J.K. MAHESHWARI

For Petitioner(s) Mr. Amol Nirmalkumar Suryawanshi, AOR

For Respondent(s) Mr. Rahul Chitnis, Adv.  
Mr. Sachin Patil, AOR

Mr. Prashant Shrikant Kenjale, AOR

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

Leave granted.

Application for intervention/impleadment is allowed.

The appeal is disposed of in terms of the signed order. The operative part of the order reads as under:

"Accordingly, the application filed for compounding alongwith the appeal seeking prayer for compounding is granted for the offence under Section 354-A IPC as well as under Section 451 IPC in view of the judgment in Ningappa vs. State of Karnataka (supra). As the permission for compounding is granted,

therefore, the conviction and sentence passed by the Trial Court vide order dated 10.04.2018, affirmed on 11.01.2022 and also in revision by the High Court on 01.02.2022 stands set aside. The appellant is in jail, therefore, he be released immediately by the jail authorities."



Pending application(s), if any, stands disposed of.

(ARJUN BISHT)  
COURT MASTER (SH)

(PRADEEP KUMAR)  
ASST. REGISTRAR

(signed order is placed on the file)