

(2023) 10 MP CK 0079

In the Madhya Pradesh High Court

Case No : Criminal Appeal No. 1909 Of 2004

Gaya Prasad And Others

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 18-10-2023

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 320(2)
Indian Penal Code, 1860 — Section 34, 325

Citation : (2023) 10 MP CK 0079

Hon'ble Judges : Roopesh Chandra Varshney, J

Bench : Single Bench

Advocate : Pooja Gupta, Shanti Tiwari, Nagendra Singh Solanki

Final Decision : Disposed Of

Judgement

Roopesh Chandra Varshney, J

Heard on I.A. No.14782/2023 which is application for compounding the offence under Section 320(2) of CrPC and I.A.No.14783/2023 application for accepting the compromise.

Compromise has been verified by Registrar (J-II) today itself and submitted his report which reveals that both the parties have compromised their case voluntarily.

The appellants have filed this criminal appeal against the judgment dated 18.10.2004 passed by learned Special Judge (SC/ST), Sidhi District Sidhi in S.C.No.39/2000, whereby learned Special Judge found the appellants guilty for the offence punishable under Section 325/34 of IPC and sentenced them R.I. for one year with fine of Rs.500/- each with default stipulation.

The offence under Section 325/34 IPC is compoundable with the permission of the Court.

Looking to the fact that complainant Gayadeen and appellants have settled their

dispute amicably and to see that they shall keep good terms in future, the permission for compromise is granted and the compromise application filed by them is accepted and appellants are acquitted from the charge under Section 325/34 IPC in compromise and conviction & sentenced passed by the trial Court under Section 325/34 IPC is hereby set-aside.

Appellants are in jail, therefore, they be released forthwith if not required in any other case.

Accordingly, this appeal stands disposed of.

A copy of this order be sent to the concerned trial Court along with the record for necessary action.