
(2011) 03 P&H CK 0273
In the Punjab And Haryana At Chandigarh
Case No : C.R.R. No. 1597 of 2010 (O and M)

Kapoor Singh

APPELLANT

Vs

State of Punjab and Another

RESPONDENT

Date of Decision : 17-03-2011

Acts Referred:

Penal Code, 1860 (IPC) — Section 120B, 468, 471

Citation : (2011) 03 P&H CK 0273

Hon'ble Judges : Ajay Tewari, J

Bench : Single Bench

Final Decision : Allowed

Judgement

Ajay Tewari, J.—This revision has been filed against the concurrent conviction of the Petitioner under Sections 120-B, 468 and 471 IPC whereby the sentence of one month was imposed.

2. The Petitioner was the scribe of the fraudulent agreement to sell. It is not disputed that the matter has now been compromised between the accused and the complainant. In these circumstances, learned Counsel for the Petitioner has argued that even in the revisional jurisdiction of this Court the offence can be compounded. He has relied upon the judgment of the Hon'ble Supreme Court in the matter of Nikhil Merchant v. Central Bureau of Investigation and Anr. reported in 2008 (4) R.C.R. 102 and the judgment of this Court in the matter of Satya Narain v. State of Haryana reported in 2009 (3) R.C.R. 97.

3. Learned Additional Advocate General, Punjab has stated that he has no dissent with this proposition of law and that once the main offence has been compromised he would have no objection in granting the benefit of compounding the offence under Sections 120-B, 468 and 471 IPC. Learned Counsel for the complainant has also accepted this fact.

4. In the circumstances, the petition is allowed and the judgments and orders of the Courts below dated 03.04.2007 and 12.05.2010 convicting the Petitioner are

set aside, resulting into the acceptance of the revision petition and leading to the acquittal of the Petitioner.