
(2000) 01 SC CK 0084

In the Supreme Court Of India

Case No : petition (s) for Special Leave to Appeal (Criminal) No. 84 of 2000
(Arising out of SLP (Criminal) No. 84 of 2000)

Ramphal and Others

APPELLANT

Vs

State of M.P.

RESPONDENT

Date of Decision : 13-01-2000

Acts Referred:

Penal Code, 1860 (IPC) — Section 147, 149, 323, 325

Citation : (2000) 1 JT 265 : (2000) 4 MPHT 90 : (2000) 9 SCC 61

Hon'ble Judges : U. C. Banerjee, J;G. B. Pattanaik, J

Bench : Division Bench

Advocate : Ranjeet Kumar, for Tamta, for the Appellant; Anu Mohla, for the Respondent

Final Decision : Disposed Of

Judgement

G.B. Pattanaik, J.—Leave granted.

2. The appellants were convicted u/s 304 Part II read with Sections 149, 325 read with (sic Sections) 149 and 323 read with (sic Section) 149 by the learned Trial Judge and sentenced to imprisonment for 3 years. The High Court in appeal set aside the said conviction u/s 304 Part II read with Section 149, and while confirming the conviction u/s 325/149, 323/149 and u/s 147 of the I.P.C. reduced the sentence to 2 years. Before the original court, nor the High Court, any application for compounding had been filed. But in this case an application for compounding has been filed and it has been brought to our notice that in the counter case, on an application for compounding having been filed, the Court has already granted permission and the matter has been compounded. The complainant/informant has endorsed in the application for compounding and the counsel appearing for them also states that the matter has been amicably settled. Taking into account the fact that the occurrence is of the year 1987 and the parties have compounded the matter amongst themselves, we think, in the interest of justice, to accord permission of such compounding. We, accordingly

set aside the conviction and sentence and dispose of this appeal on the basis of compromise. The accused appellants are in custody. They may be released forthwith, unless required in any other case.