

HIGH COURT OF MADHYA PRADESH: BENCH AT INDORE

Cr.R. No.5810/2018

Abdul Hafiz @ Aju & Others v/s State of M.P. & Others
Indore, dated 18.12.2018

Shri L.R. Bhatnagar, learned counsel for the applicants.

Shri Amit Singh, learned Public Prosecutor for the respondents/State.

Shri Ritesh Inani, learned counsel for the complainant.

Heard on I.A. No.8941/2018, which is an application for compromise. In this application, it has been averred that both the parties have resolved their dispute and have entered into a compromise. The applicants have been convicted under Sections 325/149, 323/149 and 148 of the IPC and were sentenced to varying terms and maximum being one year rigorous imprisonment.

The Principal Registrar is directed to verify the factum of compromise arrived at between the parties and submit report expectedly by 2:30 PM today.

(Shailendra Shukla)
Judge

Later on
18.12.2018

The Principal Registrar of this Court has submitted his verification report in respect of I.A. No.8941/2018. As per the report, he has expressed his satisfaction to the effect that parties have entered into a compromise voluntarily, without any threat, inducement and coercion. He submits that offence under Sections 148 and 325 are compoundable under Section

320 (2) of the Cr.P.C. with the permission of this Court.

It appears that Section 148 has been recently made compoundable by the State Government, whereas Section 325 was already compoundable with permission of the Court.

On due consideration, permission for compromise is granted, considering the fact that both the parties are related to each other and they have entered into a compromise voluntarily. The conviction and sentence under Sections 325/149, 323/149 (2 counts) and 148 of the IPC are hereby set aside and the applicants Abdul Hafiz @ Ajju, Yasin, Riyaz @ Babu, Imran @ Chungu, Amzad @ Sona and Rais @ Bhura Zamandar are acquitted from the said offence. The fine amount, if any, paid by the applicants would be returned. Their bail and bond shall stand discharged.

Accordingly, the present criminal revision stands disposed of pursuant to the compromise arrived at between the parties.

I.A. No.8532/2018, which is an application for suspension of jail sentence and grant of bail stands disposed of having been rendered infructuous.

Let a copy of this order be communicated to the trial Court for necessary compliance.

Certified copy, today itself.

(Shailendra Shukla)
Judge

Ravi