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CRA-2205-2020

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE GAJENDRA SINGH

ON THE 14th OF AUGUST, 2025CRIMINAL APPEAL No. 2205 of 2020*GOVIND AND OTHERS**Versus**THE STATE OF MADHYA PRADESH*

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Appearance:

Ms Shraddha Borasi -Advocate for the appellants.

Shri Rajesh Joshi -G.A for the respondent/State.

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JUDGMENT

This criminal appeal is preferred being aggrieved by the judgment dated 24.02.2020 in Sessions Case No.51/2018 by Sessions Judge, Neemuch whereby the appellants/accused have been convicted under sections 148, 323/149 & 326/149 of the IPC and have been sentenced for 2 years RI, 6 months RI with fine of Rs.1,000/- & 5 years RI with fine of Rs.2,000/- with further default stipulation respectively. All the substantive sentences of imprisonment were directed to run concurrently.

2. All the appellants have been prosecuted, convicted and sentenced regarding the incident dated 06.07.2018 occurred at 9.30 a.m at the field of Narendra Patidar situated at village Badoli, PS Neemuch City, district Neemuch when Narendra Patidar was irrigating fields by using electric motor pump regarding which a crime no.297/18 was registered at PD Neemuch City in which Narendra Patidar sustained grievous injury by sharp



edged weapon.

3. This appeal has been preferred challenging the conviction as well as sentence but prayed for consideration of the compromise between the victim Narendra Patidar (PW/1) and appellants as verified on 01.08.2025 by the Principal Registrar of this Court.

4. In the light of the compromise, the appellants are acquitted from the charge under section 323 r/w section 149 of the IPC.

5. Considering the statement of Narendra Patidar (PW/1), Dr.Trishank Dhakad (PW/2), report Ex.P/4 and answer to the query through Ex.P/5, there is no reason to interfere in the conviction of the appellants under section 148 and 326 r/w section 149 of the IPC and their conviction under section 148 and 326 r/w section 149 of the IPC is affirmed.

6. The compromise is being taken into consideration regarding sentence. The dispute arose due to the agricultural operation on the field due to rival claims of possession and now they have settled their scores. Appellant Nandkishore and Samrath have served more than 11 months sentence and appellants Govind and Dashrath have served more than 4 months in custody, hence no purpose would be served if they are sent back to custody.

7. Accordingly, this appeal is partly allowed and affirming their conviction under sections 148 & 326 r/w section 149 of the IPC, their sentence is reduced to the period already undergone.

8. The trial court record be sent back along with copy of the judgment for compliance.



(GAJENDRA SINGH)
JUDGE

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