

(2024) 03 RAJ CK 0024

Rajasthan High Court

Case No: Criminal Appeal (SB) No. 1887, 2075 Of 2023

Shekhar And Others		APPELLANT
	Vs	
State Of Rajasthan		RESPONDENT

Date of Decision: March 6, 2024

Acts Referred:

- Indian Penal Code, 1860 - Section 380, 411, 454

Hon'ble Judges: Manoj Kumar Garg, J

Bench: Single Bench

Advocate: Deepak Menaria, Anita Gehlot, Pushkar Taimini

Final Decision: Disposed Of

Judgement

Manoj Kumar Garg, J

Instant criminal appeals have been filed by the appellants against the judgment dated 04.09.2023 passed by the learned Additional Sessions Judge No.4, Udaipur whereby the learned Judge has convicted and sentenced the appellants as below :-

Offence U/s	Sentence	Fine	Sentence in default of payment of fine
454 IPC	3 years' S.I.	Rs.5,000/-	2 months' S.I.
380 IPC	3 years' S.I.	Rs.5,000/-	2 months S.I.
411 IPC	3 years' S.I.	Rs.2,000/-	1 month S.I.
(against appellant- Mayank)			

Counsel for the appellants submits that during the pendency of the present criminal appeals, both the parties i.e. the appellants and complainant, have entered into a compromise in the spirit of Lok Adalat and amicably settled their disputes, therefore, the conviction and sentence passed by the Court below vide impugned judgment against the appellants for aforesaid offences may be quashed and set aside. Counsel has placed reliance on a decision of Hon'ble Supreme Court in the case of Gian Singh Vs. State of Punjab & Anr. [(2012) 10 SCC 303].

Learned counsel for the complainant concurs the fact of compromise arrived at between the parties.

Heard the learned counsel for the parties and perused the impugned orders.

In view of compromise arrived at between the parties and applying the ratio in decision of Gian Singh (Supra), this Court deems it just and proper to quash and set aside the conviction and sentence of the appellants passed by the Court below vide impugned judgment.

Accordingly, the conviction and sentence of imprisonment awarded to the appellants for offences under Sections 454, 380 & 411 IPC vide judgment dated 04.09.2023, passed by the learned

Additional Sessions Judge No.4, Udaipur is hereby set aside on the basis of the compromise arrived at between the parties.

The criminal appeals are disposed of accordingly. Applications for suspension of sentence have already been decided.