

Jagdish Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Aug-28-2012

Appellant : Jagdish

Respondent : The State of Madhya Pradesh

Judgement :

Cr.A.No.1397/2012 28.08.2012 Shri Aseem Dixit, Advocate for the appellants.

Shri Ajay Tamrakar, Panel Lawyer for the respondent-State.

Shri R.S.Patel, Advocate for the complainant Phoolrani.

Heard on IA No.17782/12 and IA No.17783/12, applications relating to compromise for seeking permission and to record the compromise.

Today complainant Phoolrani was sent before the Registrar Judicial (I) to observe her voluntariness to do compromise.

Registrar Judicial (I) has informed that the complainant is willing and she has compounded the offence with free consent.

The compromise was also recorded by the Registrar Judicial (I).The appellants are convicted for the offence under Section 325 or 325/34 of IPC which is compoundable.

Under such circumstances, looking to the voluntariness of the complainant, she is permitted to do compromise with the appellants.

Compromise filed by the parties, which is duly signed by learned counsel for the appellants is considered.

Since the offences are compoundable, therefore compromise is accepted.

In the result, the appellants are acquitted from the charges of offence under Section 325 or 325/34 of IPC.

Consequently, the present appeal is hereby allowed on the basis of compromise done between the parties.

The conviction as well as the sentence directed against the appellants for commission of offence punishable under Section 325 or 325/34 of IPC is hereby set aside.

The appellants are acquitted from the aforesaid charges.

Office is directed to issue release warrants against the appellants so that they may be released forthwith.

(N.K.Gupta) Judge Ansari

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