

Phoolchand Vs. the State of Madhya Pradesh

Phoolchand Vs. the State of Madhya Pradesh

SooperKanoon Citation : sooperkanoon.com/1051981

Court : Madhya Pradesh

Decided On : Feb-27-2013

Appellant : Phoolchand

Respondent : The State of Madhya Pradesh

Judgement :

1 M.Cr.C No.14433/2012 M.Cr.C.No.14433/2012 27.02.2013 Shri S.D.Gupta, Advocate for the petitioner.

Respondent/State by Smt.

Pratibha Mishra, Panel Lawyer.

Shri Purshottam Patel, Advocate for respondent no.2.

Present petition has been preferred for passing appropriate order for consideration of compromise petition filed by the parties under section 320(2) Cr.P.C Vide judgement dated 17/08/2012, the petitioner was convicted by JMFC, Katni in Criminal Appeal No.2478/2007 under section 354 IPC and sentenced to 6 months R.I.In the court of Sessions Judge, Katni, appeal is pending against the aforesaid judgment.

In appellate court, parties submitted a compromise petition along with application under section 320(2) Cr.P.C.Vide order dated 11/10/2012, the Sessions Judge, Katni in Criminal Appeal No.184/2012 dismissed the application on the ground that

offence is not compoundable even with the permission of court also.

This petition is disposed of with direction to the Sessions Judge, Katni that if after hearing the appeal on merits if petitioner is found convicted under 2 M.Cr.C No.14433/2012 section 354 IPC, then the fact of compromise shall be taken into consideration for awarding suitable/lenient sentence in the matter.

Petition is disposed of as indicated above.

(Tarun Kumar Kaushal) Judge tarun

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com