

Bipin Kumar Vs. The State of Bihar

Bipin Kumar Vs. The State of Bihar

SooperKanoon Citation : sooperkanoon.com/1194033

Court : Supreme Court of India

Decided On : Aug-13-2018

Judge : Hon'Ble Mr. Justice Kurian Joseph, Hon'Ble Mr. Justice Sanjay Kishan Kaul

Appeal No. : 6436 / 2018

Appellant : Bipin Kumar

Respondent : The State of Bihar

Advocate for Pet/Ap. : Kumar Mihir

Judgement :

NON-REPORTABLE IN THE SUPREME COURT OF INDIA CRIMINAL APPELLATE JURISDICTION CRIMINAL APPEAL NO(S). 993/2018 (ARISING FROM SLP (CRL) NOS.4557/2018) BIPIN KUMAR & ORS. APPELLANT(S) VERSUS THE STATE OF BIHAR & ANR. RESPONDENT(S)

JUDGMENT

KURIAN, J.

Leave granted.

2. The appellants are before this Court, aggrieved by the conviction in Sessions Trial No.113/2012 on the file of Additional Sessions Judge III, Banka, Bihar. They have been convicted under Sections 323, 325 and 341 read with 34 IPC and sentenced to undergo rigorous imprisonment for six months under Section 323/34 IPC, three years under Section 325/34 IPC and simple imprisonment of one month under Section 341/34 IPC. The sentences are to run concurrently. The 1 conviction and sentence have been confirmed by the High Court. Thus, the appellants are before this Court.

3. There is no dispute that the parties are relatives. During the pendency of the appeal, the de facto complainant has been impleaded in the party array.

4. The de facto complainant has now filed an affidavit stating that the disputes in the family have been settled amicably with the intervention of the elders of the family and the normal relationship is being restored in the family.

5. It is prayed jointly by the parties that the offences may be compounded.

6. Learned counsel appearing for the State submits that this is essentially a dispute among the members of the family and the State has no objection in case the offences are compounded.

7. Having heard the learned counsel appearing for the contesting parties, we are of the view that it is only in the interest of restoring peace in the family that the offences are compounded. Ordered accordingly.

8. The appeal is disposed of, as above. 2 9. Pending applications, if any, shall stand disposed of.J.

[KURIAN JOSEPH]. NEW DELHI; AUGUST13 2018.J.

[SANJAY KISHAN KAUL]. 3