

Ashok Kumar Vs. the State of Rajasthan

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Court : Rajasthan

Decided On : Apr-04-1977

Reported in : 1977WLN138

Judge : P.D. Kudal, J.

Appeal No. : S.B. Criminal Appeal No. 108 of 1977

Appellant : Ashok Kumar

Respondent : The State of Rajasthan

Judgement :

P.D. Kudal, J.

1. Accused-appellant Ashok Kumar has filed this appeal against the judgment of the learned Additional Sessions Judge, Ajmer dated January 19, 1977.
2. The learned Counsel for the accused-appellant was heard, and the appeal has been admitted for hearing.
3. The learned Counsel for the accused-appellant has presented an application for compromise under Section 320, Cr. P.C. 1973, The injured Kamlesh Gupta and her father appeared before the Court and prayed that the compromise prayed for may be allowed.

4. Notice of this application was given to the learned Public Prosecutor. He states that the State has no objection if the permission to compound the offence is granted. In the compromise petition it has been contended that with a view to promote healthy relations between the parties and their family members it would be in the interests of justice if the permission to compound the offence is given.

5. I have carefully perused the judgment and considered the contentions of the learned Counsel for the accused-appellant and the learned Public Prosecutor.

6. It appears expedient in the interest of justice looking to the facts and circumstances of the case that the permission to compound the offence be granted. The permission is accordingly granted.

7. The learned Counsel for the accused-appellant Shri Amrit Kumar, the injured Kamlesh Gupta and her father Gauri Shanker Gupta verified the composition deed and the application under Section 320, Cr. P.C. The learned Public Prosecutor endorsed no objection on it. Both these may be kept on record.

8. In this view of the matter, the appeal filed by the accused-appellant is hereby allowed, and the conviction and sentence of the accused-appellant are accordingly set aside.