

Shakil Ahmad

Vs

State of U. P.

Criminal Appeal No. 475 of 1987

(A. P. Sen, Sabyasachi Kukharji JJ)

21.09.1987

ORDER

1. Special leave granted. Arguments heard on the application made by the parties for leave to compound the offence under Section 320 of the Code of Criminal Procedure, 1973.
2. It appears that the appellant opened fire with his country-made pistol as a result of which the complainant PW 2 Pearey Mia was struck with pellets on the face and neck. The appellant was accordingly convicted for an offence under Section 324 of the Indian Penal Code, 1860 and sentenced to undergo rigorous imprisonment for two years. The parties are closely related being brothers-in-law and by their application they pray for leave to compound the offence with a view to maintain their good relations. It is stated at the bar by learned counsel for the appellant that the appellant has given up his claim with respect to lands in dispute and has also paid in addition Rs. 5000 as compensation to the complainant.
3. In the circumstances, we allow the application. The appeal accordingly succeeds and is allowed and the conviction and sentence of the appellant are set aside.

</html