

Ramgopal & Anr vs State Of M.P.& Anr on 30 July, 2010

Equivalent citations: 2011 AIR SCW 1193, 2011 (3) AIR JHAR R 285, 2011 CRI LJ (SUPP) 86 (SC), 2010 (13) SCC 540, 2010 ALLMR(CRI) 3360, (2011) 2 CGLJ 36, (2010) 3 RECCRIR 917, (2011) 2 ALLCRIR 1409(1), (2010) 7 SCALE 711, (2010) 93 ALLINDCAS 1 (SC), (2010) 70 ALLCRIC 906, 2011 (2) SCC (CRI) 145, 2011 (2) KCCR SN 157 (SC)

Bench: T.S. Thakur, Markandey Katju

REPORT

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

Special Leave Petition (Crl.) No. 6494 OF 2010
(CRLMP. NO.14745/2010)

RAMGOPAL & ANR.

...Petitioner(s)

Versus

STATE OF M.P. & ANR.

...Respondent(s)

O R D E R

Delay condoned.

Issue notice.

The petitioners herein were convicted, inter alia, under Section 326 IPC. We understand that the parties have arrived at an amicable settlement. However, in view of the fact that the offence mentioned in Section 326 is a non-compoundable offence, we cannot straightway acquit the petitioners the settlement between the parties, notwithstanding.

There are several offences under the IPC that are currently non-compoundable. These include offences punishable under Section 498-A, Section 326, etc. of the IPC. Some of such offence can be made compoundable by introducing a suitable amendment in the statute. We are of the opinion that the Law Commission of India could examine whether a suitable proposal can be sent to the Union

Government in this regard. Any such step would not only relieve the courts of the burden of deciding cases in which the aggrieved parties have themselves arrived at a settlement, but may also encourage the process of re-conciliation between them. We, accordingly, request the Law Commission and the Government of India to examine all these aspects and take such steps as may be considered feasible.

The Secretary General of this Court shall forthwith send a copy of this order to the Law Commission of India as well as to the Law Secretary to the Government of India. The Law Secretary is requested to place a copy of this order before the Hon'ble Minister of Law & Justice, Union of India.

.....J. (MARKANDEY KATJU)J. (T.S. THAKUR)
New Delhi July 30, 2010