

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR No.1969 of 2003 (O&M)

Date of Decision:15.7.2015

Raj Kumar

....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. Gagneshwar Walia, Advocate for the petitioner.

Mr. Sushil Gautam, DAG, Haryana for respondent No.1.

Mr. J.S. Gill, Advocate for
Mr. R.P.S. Bara, Advocate for respondent No.2.**NAVITA SINGH, J.**

1. Affidavit of Nathi widow of Jagan Nath, who was impleaded as party, vide order dated 15.11.2013 to decide the question of compensation, has been filed, which is taken on record.

2. Jagan Nath had died in a road accident which took place on 10.9.1995.

3. It is mentioned in the affidavit that the family has reconciled the differences and compensation of Rs.3,33,000/- was received under the Motor Vehicles Act while an amount of Rs.20,000/- had been given by the petitioner. The petitioner has also given employment to the son of the deceased and he is already working with the transport company of the petitioner for two years prior to the date of the affidavit i.e. 19.2.2014.

4. Counsel for the petitioner has submitted that the petitioner has undergone the agony of trial and appeals since September 1995 and has already been sufficiently punished. It is submitted that without challenging the conviction, prayer is made for restricting the sentence of the petitioner to

the period already undergone. Regarding this, the other party has no objection especially in view of the affidavit of the widow filed today. The family of the deceased has been suitably compensated.

5. In view of the above, the merits of the matter needs not be gone into. So far as the conviction is concerned, the appeal is dismissed while the sentence is modified and is restricted to the period already undergone by the petitioner. The bail and surety bonds of the petitioner are discharged.

(NAVITA SINGH)
JUDGE

15.7.2015
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