

In the High Court of Punjab and Haryana at Chandigarh

Crl. Revision No. 1077 of 2013 (O&M)
Date of decision: 09.1.2015

Angrej Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. J.K.Singla, Advocate
for the petitioner.

Mr. Deep Singh, AAG, Punjab.

Mr. Deepak Gupta, Advocate
for respondent No. 2.

SABINA, J.

Petitioner had faced the trial qua commission of offence punishable under Section 279, 304-A, 338, 337 of the Indian Penal Code, 1860 ('IPC' for short) in FIR No. 86 dated 19.8.2009, registered at Police Station Dayalpura. Trial Court vide judgment/order dated 1.6.2012 ordered the conviction and sentence of the petitioner under Section 279, 337, 338, 304-A IPC. Aggrieved against the said judgment/order of his conviction and sentence, petitioner preferred an appeal and the same was dismissed by the Appellate Court vide order dated 4.1.2013. Hence, the present petition by the petitioner.

During the course of arguments, learned counsel for the petitioner has not challenged the conviction of the petitioner under Section 279, 337, 338, 304-A IPC but has submitted that sentence qua imprisonment of the petitioner be reduced to the period

already undergone by him. Learned counsel has further submitted that petitioner has already paid ₹ 25,000/- by way of compensation to respondent No. 2 and Jarnail Kaur-wife of respondent No. 2. Learned counsel for the petitioner has submitted that in terms of the order passed by this Court dated 23.10.2013, petitioner has deposited another sum of ₹ 25,000/- with the Trial Court and petitioner has no objection if the said amount is released to Jarnail Kaur-mother of the deceased by way of compensation.

Learned counsel appearing on behalf of mother of the deceased has not opposed the submissions made by learned counsel for the petitioner.

Keeping in view the facts and circumstances of the present case, it would be just and expedient to reduce the sentence qua imprisonment of the petitioner to the period already undergone by him.

Accordingly, conviction of the petitioner under Section 279, 337, 338, 304-A IPC is maintained. However, sentence qua imprisonment of the petitioner is reduced to the period already undergone by him. Trial Court is directed to release the amount of ₹ 25,000/- deposited by the petitioner to Jarnail Kaur-mother of the deceased forthwith.

Petition stands disposed of accordingly.

**(SABINA)
JUDGE**

January 09, 2015

Gurpreet