

CRR No. 1176 of 2014 (O&M)

Date of decision: January 20, 2015

Sharanjit Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA**Present:** Ms. Isha Goyal, Advocate
for the petitioner.

Mr. V. P. S. Sidhu, Assistant AG, Punjab.

None for respondent No.2.

SABINA, J

Petitioner has faced trial in FIR No. 95 dated 30.07.2009 registered under Sections 304-A/279 Indian Penal Code, 1860 (for short IPC) at Police Station Kathunangal, Amritsar. Trial Court vide judgment/order dated 10.12.2012 ordered the conviction and sentence of the petitioner qua commission of offence punishable under Sections 304-A/279 of IPC. The said conviction and sentence of the petitioner was upheld by the Appellate Court in appeal vide order dated 15.01.2014. Hence, the present petition.

None has appeared on behalf of respondent No.2 despite service.

During the course of arguments, learned counsel for the petitioner has not challenged the conviction of the petitioner under Section 279/304-A IPC but has submitted that sentence qua imprisonment of the petitioner be reduced to the period already undergone by him. Learned counsel for the petitioner has submitted that the petitioner has undergone more than 11 months of actual sentence. The legal heirs of the deceased had filed a Claim Petition and had been granted compensation by the Motor Accident

Claims Tribunal. Petitioner is not a previous convict and is the only bread winner of his family.

Keeping in view the submissions made by the learned counsel for the petitioner, 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 Sections 304-A/279 IPC is maintained. However, sentence qua imprisonment of the petitioner is reduced to the period already undergone by him. Petitioner who is in custody be set at liberty forthwith if not required in any other case.

Petition stands disposed of accordingly.

**(SABINA)
JUDGE**

January 20, 2015

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