

**CRR-1254-2015**

**[1]**

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**In the High Court of Punjab and Haryana at Chandigarh**

**CRR-1254-2015**

**Date of decision: 14.09.2015**

Gurjeet Singh @ Seera

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MRS. JUSTICE SABINA**

Present: Mr. Sahil Khunger, Advocate  
for the petitioner.

Mr. J.S.Sekhon, AAG, Punjab.

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**SABINA, J.**

Petitioner had faced the trial qua commission of offence punishable under Sections 279, 304-A and 338 of the Indian Penal Code, 1860 ('IPC' for short) in FIR No.231, dated 25.11.2007, registered at Police Station Sadar Sunam. Trial Court vide judgment/order dated 03.05.2015 ordered the conviction and sentence of the petitioner under Sections 304-A and 279 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 23.07.2015. Hence, the present petition by the petitioner.

Learned counsel for the petitioner has submitted that the petitioner was not apprehended at the spot. In fact, no test identification parade was got conducted to establish the identity of the petitioner. There was no document on record to establish that the vehicle was owned or driven by the petitioner. Be that as it

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may, learned counsel for the petitioner has submitted that he does not challenge the conviction of the petitioner on merits but has submitted that petitioner has undergone one year and one month of actual sentence and the sentence qua imprisonment of the petitioner be reduced to the period already undergone by him. Learned counsel has further submitted that petitioner is not involved in any other criminal case and is only bread earner of the family.

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 Sections 304-A and 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.

**September 14, 2015**  
*kapil*

**(SABINA)**  
**JUDGE**