

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR No. 1433 of 2015 (O&M)
Date of decision : August 18, 2015

Beant Singh,

..... Petitioner

v.

State of Punjab,

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. JS Sandhu, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. A.G Punjab

1. **Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest ?**

Ajay Tewari, J (Oral)

This revision petition has been filed against the concurrent conviction of the petitioner under Sections 304-A/279 of the IPC.

As per the allegations, the petitioner while driving his Maruti car rashly and negligently on 25.3.2011, collided with the bicycle of Joginder Singh son of Bachan Singh resulting in the death of the latter.

Counsel for the petitioner has very fairly argued that he would not argue the case on merits but in the facts and circumstances of the present case, there are good grounds for reduction of sentence. As per him, it is not a case where the petitioner was guilty of drunken driving or any thing of that sort, and further that he has already entered into a compromise with the

LRs of the deceased, has faced these proceedings for 4½ years and has undergone 4 months and 17 days of actual sentence out of total sentence of 1 year.

Counsel for the respondent has accepted these factual assertions but has placed reliance upon the decision of the Hon'ble Supreme Court in State of Punjab v. Saurabh Bakshi, 2015 RCR (CrI) 495, to argue that their Lordships have held that the offence of rash and negligent driving is assuming alarming motion resulting in mushrooming of road fatalities, and have directed that sentence have to commensurate with these realities.

Counsel for the petitioner has countered this by arguing that in Saurabh Bakshi's case (supra), sentence had been reduced to the one which had already been undergone and the accused therein had undergone 23 days out of total sentence of 1 year and that was the context in which the Hon'ble Supreme Court had made observations and further that in the said case, their Lordships reduced the sentence to six months.

Keeping in view the decision in Saurabh Bakshi's case (supra), I deem it appropriate to dismiss this revision petition but reduce the sentence of the petitioner to six months. Ordered accordingly.

August 18, 2015
'kk'

(AJAY TEWARI)
JUDGE