

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Revision No.23 of 2015 (O&M)
Date of decision: 07th January, 2015

Jaibir

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Munish Kumar Garg, Advocate,
for the petitioner.

INDERJIT SINGH, J.

Petitioner Jaibir has preferred this revision petition under Section 401 Cr.P.C., against respondent State of Haryana, challenging the impugned order dated 18.12.2014, passed by the learned Additional Sessions Judge, Jind, dismissing his appeal against the order(s) dated 01.11.2012/02.11.2012, passed by the learned Additional Chief Judicial Magistrate, Jind, vide which he was convicted and sentenced under Sections 279, 337, 304-A IPC.

It is stated in the grounds of revision petition that impugned judgment dated 18.12.2014, passed by the learned learned Appellate Court, by upholding the judgment of conviction and order of sentence, passed by the learned trial Court is against the facts, circumstances and the law applicable to the case.

I have heard learned counsel for the petitioner and have gone through the record.

At the time of arguments, learned counsel for the petitioner has not challenged the concurrent findings, given by the learned Courts below regarding rash and negligent driving of the present petitioner and causing the accident in which two children had died and four other persons including children had suffered injuries. He only prayed for reduction of sentence and contended that petitioner-accused himself surrendered before the police on the next day of the occurrence.

Keeping in view the facts and circumstances of the present case and in view of the fact that the petitioner was driving the tractor bearing registration No.HR-15-8469 rashly and negligently and hit against the car of the complainant in which Pranjal died at the spot whereas Lizza succumbed to injuries in PGIMS Rohtak, I do not find any ground to reduce the sentence of rigorous imprisonment of one year and fine of Rs.500/- under Section 304-A IPC awarded to the petitioner as the trial Court has already taken a lenient view.

Therefore, finding no merit in the present petition, the same is dismissed.

07th January, 2015
mamta

(INDERJIT SINGH)
JUDGE