

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No.2635-2015 (O&M)
Date of decision : 05.10.2015

Gurpartap Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Gaurav Sharma, Advocate
 for the petitioner.

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

1. Whether Reporters of local papers 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)

CRM-23589-2015
For the reasons recorded, the application is allowed. Delay of

75 days in filing the revision is condoned.

CRR No.2635-2015

This revision petition has been filed against concurrent

conviction of the petitioner under Sections 279/304-A IPC whereby the

petitioner was sentenced to undergo imprisonment as under :-

Under Section	Sentence	In default
279-IPC	6 months R.I. With a fine Rs.2,000/- fine	R.I. for 15 days
304-A IPC	One year with a fine of Rs.5,000/-	R.I. for 15 days

Both the sentences were ordered to run concurrently.

Brief facts of the case are that on 27.10.2007 the complainant along with his cousin Jagjit Singh had gone to attend some religious function at Dera Daburji on their bicycles. It was about 08.15 P.M. When they reached near Kaka Kandiala, a motor cycle bearing registration No.PB-46-E-4738 which was coming at a very fast speed and in a rash and negligent manner, struck against the cycle of Jagjit Singh by coming on the wrong side of the road. As a result thereof he fell on the ground and suffered multiple injuries on his head. The complainant took him to Civil Hospital, Tarn Taran from where he was referred to K.D. Hospital Amritsar where he died.

Custody certificate filed in Court by way of affidavit of Ravinder Kumar Sharma, PPS, Superintendent, Central Jail, Amritsar is taken on record, wherein it has been certified that the petitioner has already undergone 07 months and 8 days of imprisonment out of the total sentence of one year. Learned counsel for the petitioner states that some leniency be granted to the petitioner in the sentence. He has placed reliance on ***State of Punjab Vs. Saurabh Bakshi, 2015 (2) R.C.R. (Criminal) 495***, wherein his lordship has reduced the sentence to six months out of total sentence of two years where two deaths have occurred.

Keeping in view the above said enunciation of law and the period of sentence already undergone by the petitioner, I deem it appropriate to reduce his sentence to that of already undergone by him during the period

of continuation of criminal proceedings. Ordered accordingly. Let him be released forthwith if not required in any other case. With the above modification in sentence the revision is dismissed.

05.10.2015

Pooja Sharma-I

**(AJAY TEWARI)
JUDGE**