

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR No. 2903 of 2015 (O&M)
Date of decision : October 20, 2015

Joginder Singh,

..... Petitioner

v.

State of Punjab,

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Dinesh Mahajan, Advocate
for the petitioner.

Mr. APS Gill, AAG 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 is directed against the concurrent conviction of the petitioner under Sections 279, 338 of the IPC.

Brief facts are that on 18.9.2011 at about 3.30 pm, the offending gas tanker being driven by the petitioner rashly and negligently hit from behind the motor cycle being driven by Sulakhan Singh and Madhu Sharma was a pillion rider. As a result of this accident, Madhu Sharma fractured her right leg and Sulakhan Singh received crush injury on his ankle.

Custody certificate by way of affidavit of Arvinder Pal Singh,

Deputy Superintendent, Sub Jail, Pathankot has been filed. As per the same, the petitioner has undergone 27 days of actual sentence as on 25.8.2015 out of total sentence of 1 year.

Counsel for the petitioner has argued that the present is a case of injury case and prays that a lenient view may be taken in respect of the sentence awarded to the petitioner. He has placed reliance upon the decision of the Hon'ble Supreme Court in State of Punjab v. Saurabh Bakshi, 2015 RCR (Crl) 495 to contend that therein one person had died, and sentence had been reduced to six months.

Learned AAG Punjab is not in a position to cite any contrary judgment.

In these circumstances and keeping in view the decision in Saurabh Bakshi's case (supra), even while maintaining the conviction, I reduce the sentence of the petitioner to six months. Petition stands disposed of.

October 20, 2015
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(AJAY TEWARI)
JUDGE