

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR No.3344 of 2014 (O&M)
Date of Decision:27.03.2015

Sukhraj Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. Harpreet Singh Rakhra, Advocate for the petitioner.

Mr. B.S. Bhullar, AAG, Punjab for the respondent

NAVITA SINGH, J.

1. Reply by way of affidavit of Raj Mohinder Singh Dhaliwal, Superintendent, Central Jail, Bathinda has been filed. The same is accompanied by copy of medical report from Senior Medical Officer, Central Jail Hospital, Bathinda, showing that the petitioner is a patient of Diabetes Mellitus, Hypertension, Coronary Artery Disease with Triple Vessel disease. He is on treatment from Cardiology Department PGI Chandigarh. He has also been referred to Cardio Thoracic and Vascular Surgery Department at PGI, Chandigarh for Coronary Artery Bypass grafting.

2. Counsel for the petitioner submits that without going into the merits of the matter, the sentence of the petitioner may be reduced to the period already spent by him in custody in view of his medical condition.

3. The petitioner was tried for the offences punishable under Sections 279 and 304-A of the Indian Penal Code (IPC for short) and he was convicted. The sentence awarded was rigorous imprisonment for six months for the offence punishable under Section 279 IPC and rigorous

imprisonment for one year with fine of Rs.1000/- for the offence under Section 304-A IPC. The substantive sentences were to run concurrently.

4. Out of the period of one year of sentence under section 304-A IPC, the petitioner has already undergone for more than six months as he has been in custody since 17.9.2014 i.e. the dismissal of appeal.

5. Without going into the merits of the case, considering the medical condition of the petitioner, it is felt that he is entitled to reduction of sentence. He is suffering from various diseases and is likely to undergo Coronary Artery Bypass grafting.

6. The request made on behalf of the petitioner for reducing the sentence to the period already undergone is accepted. The revision petition against the conviction is dismissed while the sentence is reduced to the period which the petitioner has already spent in custody.

7. Disposed of above.

(NAVITA SINGH)
JUDGE

27.03.2015
ishwar