

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR no. 338 of 2015 (O&M)

Date of Decision : 12.03.2015

Dalip Kumar

....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

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?

Present : Mr. S.S.Majithia, Advocate for the petitioner

Mr. P.S.Hundal, AAG, Punjab

Mr. Johny Vij, Advocate for the complainant

MAHESH GROVER, J.

In this revision petition, the petitioner has questioned his conviction and sentence awarded to him under Sections 279, 304-A, 427 IPC.

He has been sentenced to 2 years imprisonment and to pay a fine of Rs.2000/-.

On 30.1.2015 notice was issued only qua quantum of sentence.

It is stated by the learned counsel for the petitioner that the petitioner is a young man of 26 years and that submitting him to incarceration is likely to impact his prospects of life adversely. It is further stated that petitioner has already undergone imprisonment for approximately 2 months out of the total substantive sentence of 2 years awarded to him and besides he has never been convicted or involved in any other criminal

offence.

This Court on 2.3.2015 had directed the petitioner to pay a sum of Rs.1 lac as compensation to the family of deceased. In compliance thereof, a draft bearing no. 490147 dated 9.3.2015 for an amount of Rs.1 lac has been handed over to the wife of the complainant who is present in Court today.

Having regard to the young age of the petitioner and the fact that he is not in conflict with law in any other case and being conscious of the vagaries of traffic conditions in the country, I without condoning the lapse of the petitioner in causing the death of the complainant, deem it appropriate to reduce his sentence to that of already undergone and enhance the fine component to Rs. 1 lac to be paid to the wife of the complainant. Since the fine has already been paid to the wife of the complainant in Court today, operative part of the order reducing the sentence of the petitioner shall come into play. He would thus be released accordingly.

Petition stands disposed of.

March 12, 2015
rekha

(MAHESH GROVER)
JUDGE