

In the High Court of Punjab and Haryana at Chandigarh

CRR No.3645 of 2015 (O&M)
Date of decision: 28.09.2015

Sukhjeet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr.Vishal Handa, Advocate for the petitioner.

SABINA, J.

Petitioner had faced trial in FIR No. 79 dated 12.11.2011 under Sections 279 and 304-A of the Indian Penal Code, 1860 ('IPC' for short) registered at Police Station Ramdas Amritsar. Trial Court, vide judgment dated 3.4.2015, ordered the conviction and sentence of the petitioner qua commission of offence punishable under Sections 304-A and 279 IPC. The said judgment/order of conviction and sentence of the petitioner were upheld in appeal by the appellate Court vide order dated 31.7.2015. Hence, the present petition by the petitioner.

I have heard the learned counsel for the petitioner and have gone through the record available on the file carefully.

Prosecution story, in brief, is that on 12.11.2011,

complainant-Mandeep Singh was returning with Sarwan Singh to Ramdas after attending a function at Fatehgarh Churian. At about 4.15 p.m., when they reached near Fatehgarh Churian, a mini bus bearing No. PB-02-D-9838 came from behind and struck against motorcycle being driven by Jaswinder Singh bearing No.PB-14-A-7345. As a result of this, Jaswinder Singh died at the spot.

In order to prove its case, prosecution examined complainant-Mandeep Singh as PW1 and eye witness Sarwan Singh as PW2. The said witness deposed as per the prosecution story.

Thus, from the statement of the eye witnesses, it was evident that the accident in question had taken place due to rash and negligent driving of the petitioner while driving the bus in question. During the course of arguments, it has further transpired that the petitioner is the owner of the bus in question. Although, petitioner was not arrested at the spot but the bus owned by him was recovered from the spot.

In these circumstances, the Courts below had rightly ordered the conviction and sentence of the petitioner under Sections 304-A and 279 IPC. No ground for interference is made out.

Dismissed.

**(Sabina)
Judge**

September 28, 2015

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