

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

C.R.R No.3777 of 2015 (O&M)

Date of Decision : 20.11.2015

Baljeet Singh

..... Petitioner

versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Ms. Rakhi Sharma, Advocate
for the petitioner.

Mr. Ashish Sanghi, D.A.G., Punjab.

Mr. Sandeep Kumar, Advocate
for the respondent No.2.

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)

This revision has been filed against the concurrent conviction of the petitioner under Section 304-A IPC and the imprisonment of two years.

Learned counsel for the petitioner has argued she does not wish to press this petition on merits but there may be some scope in reduction of the sentence. She has further argued that in this case apart from the compensation by the Motor Accident Claims Tribunal the petitioner has also

paid some money to the LRs of the deceased and they have now entered into compromise with him.

Mr. Sandeep Kumar, Advocate has entered appearance on behalf of complainant-respondent No.2 and has accepted the factum of compromise between the parties.

Learned counsel for the petitioner has further submitted that the petitioner has undergone 4½ months out of the total sentence of 2 years. She has further relied upon the judgment of the Hon'ble Supreme Court in the matter of *State of Punjab v. Saurabh Bakshi, 2015 RCR (Crl) 495*, wherein the Hon'ble Supreme Court reduced the sentence from 2 years to six months and prays that in the present case the difference is that the matter has since been compromised and therefore the sentence of the petitioner should be reduced to that which he has already undergone.

Learned Deputy Advocate General has however argued that in Saurabh Bakshi's case (supra) even though the Hon'ble Supreme Court has reduced the sentence as aforesaid but observed that the offence of rash and negligent driving is assuming alarming proportions resulting in mushrooming of road fatalities, and have directed that the sentence has to be commensurate with these realities and further states that the safest course for this Court would be to reduce the sentence to six months as was done by the Hon'ble Supreme Court in that case.

In my opinion, I find that there is some merit in arguments of both the learned counsel. In the circumstances, even while dismissing this revision and upholding the conviction of the petitioner, I reduce the sentence of the petitioner to five months.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

November 20, 2015

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**(AJAY TEWARI)
JUDGE**