

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

C.R.R. No.4196 of 2015 (O&M)

Date of Decision : 15.12.2015

Ajay Kumar

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. S.K. Panwar, Advocate
for the petitioner.

Mr. S.S. Pannu, D.A.G, Haryana.

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 judgments of the Courts below sentencing the petitioner under Sections 279 & 304-A IPC and convicting him to undergo rigorous imprisonment of one year.

Custody certificate filed in Court by way of affidavit of Subhash Chander, Deputy Superintendent Jail, District Jail Yamuna Nagar at Jagadhri is taken on record. As per the custody certificate the petitioner has undergone 02 months 26 days of actual sentence out of the total sentence of 1 year.

Learned counsel for the petitioner has relied upon the judgment dated 30.03.2015 passed in Criminal Appeal No.520 of 2015 titled as **State of Punjab vs. Saurabh Bakshi**, to argue that in a similar case the Hon'ble Supreme Court has reduced the sentence to six months.

Learned Deputy Advocate General has however argued that in the present case four persons were injured and one person died. However, in Saurabh Bakshi's case (supra) there were two deaths. He has further 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.

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 eight months.

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

December 15, 2015

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**(AJAY TEWARI)
JUDGE**