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

CRR No.4237 of 2014 (O&M)

Date of decision: February 02, 2015

Ranjodh Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Chandra Kumar Jha, Advocate
for the petitioner.

Mr. V.P.S. Sidhu, AAG Punjab.

SABINA, J

Petitioner had faced trial in FIR No.162 dated 14.12.2005, under Sections 279, 304-A, 427 of Indian Penal Code, 1860 ('IPC' for short), registered at Police Station Dakha, Ludhiana.

Trial Court vide judgment/order dated 01.02.2011 ordered the conviction of the petitioner qua commission of offence punishable under Section 279, 304-A and 427 IPC. Appellate Court vide order dated 23.08.2014 acquitted the petitioner for the offence punishable under Section 427 IPC, and ordered the conviction and sentence of the petitioner under Sections 279, 304-A IPC. Hence, the present petition.

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

Learned counsel for the petitioner during the course of arguments has not challenged the conviction of the petitioner

under Section 279, 304 A IPC, but has submitted that the sentence qua imprisonment of the petitioner be reduced to the period already undergone by him.

Learned counsel for the petitioner has submitted that initially number of the offending vehicle was given by the complainant as HR-29-E-0066, but later complainant made a supplementary statement, wherein he gave number of the PB-29-E-0066. Petitioner was not apprehended at the spot. In the accident claim case, the legal heirs of the deceased have been awarded compensation by the Motor Accident Claims Tribunal. Petitioner is not a previous convict and is the only bread-earner of the family.

Keeping in view the submissions made by the learned counsel for the petitioner, it would be just and expedient to reduce the sentence qua imprisonment of the petitioner to the period already undergone by him.

Accordingly, conviction of the petitioner under Sections 279, 304 A IPC is maintained. However, sentence qua imprisonment of the petitioner be reduced to the period already undergone by him. Petitioner who is in custody, be set at liberty forthwith, if not required in any other case.

Petition stands disposed of, accordingly.

**(SABINA)
JUDGE**

February 02, 2015

m.singh