

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR No.4555 of 2015 (O&M)
Date of Decision: November 28, 2015

Manjinder Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Harinder Singh, Advocate
for the petitioner.

INDERJIT SINGH, J.

The present revision has been filed by the petitioner Manjinder Singh against State of Punjab under Section 401 Cr.P.C., challenging the impugned judgment of conviction and order of sentence dated 23.08.2014 passed by learned Addl. Chief Judicial Magistrate, Sri Muktsar Sahib, vide which the petitioner was convicted and sentenced to undergo rigorous imprisonment for a period of one year and to pay a fine of ₹200/- and in default of payment to undergo rigorous imprisonment for a period of seven days under Section 304-A IPC and to further to undergo rigorous imprisonment for a period of six months under Section 279 IPC and also challenging the judgment dated 17.10.2015 passed by learned Addl. Sessions Judge, Sri Muktsar Sahib, vide which appeal filed by petitioner was dismissed.

I have heard learned counsel for the petitioner and have

gone through the record.

The brief facts of the case are that the FIR was registered on the statement of Sukhmander Singh, who stated that on 07.07.2011, his nephew Jurinder Singh was going to his duty at Easy Day store on his motorcycle. He (complainant) along with Ex-Sarpanch Gurdial Singh was going on his motorcycle to Muktsar after meeting his sister at Dhurkot. When they were at some distance away from Bus Sand Charewan, then Punjab Roadways Bus bearing registration No.PB-29F-9213 came in zig-zag manner, which was being driven by its driver rashly and negligently. The driver of the bus hit it against the motorcycle of Jurinder Singh. Due to this, Jurinder Singh fell towards left side and received many injuries. The bus driver stopped the bus and alighted from it. He told his name as Manjinder Singh. When the complainant and Sarpanch were taking care of Jurinder Singh, then driver of the bus fled away from the spot while leaving the bus there. Injured was admitted in Adesh Hospital, from where he was shifted to DMC, Ludhiana, where he expired.

Prosecution examined PW-1 Sukhmander Singh, complainant and PW-2 Gurdial Singh, eye witness. Both these eye witnesses supported and corroborated the prosecution version and also deposed regarding rash and negligent driving of accused bus driver (petitioner). Nothing has been argued regarding identity of the accused-petitioner.

I have gone through the judgments passed by both the Courts below. The Courts below have appreciated the evidence in

right perspective. There is nothing to show that findings given by the Courts below are perverse or illegal. Nothing has been pointed as to which material evidence has been misread or which material evidence has not been considered by the Courts below. In the revision petition, this Court is not to re-appreciate the evidence as in the appeal.

From the perusal of the judgments passed by the Courts below, I find that no illegality has been committed by the Courts below while convicting and sentencing the petitioner. The prosecution has duly proved its case by leading cogent evidence beyond reasonable doubt.

Therefore, finding no merit in the present revision petition, the same is dismissed.

November 28, 2015
Vgulati

(INDERJIT SINGH)
JUDGE