

In the High Court of Punjab and Haryana at Chandigarh

CRR No. 569 of 2015 (O&M)
Date of decision: 20.2.2015

Sanju Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr.Aman Dhir, Advocate for the petitioner.

SABINA, J.

Petitioner had faced trial in FIR No.46 dated 6.5.2011 registered at Police Station Amargarh under Sections 279,304-A,427 of the Indian Penal Code, 1860 ('IPC' for short). Trial Court vide judgement/order dated 6.5.2013 ordered the conviction and sentence of the petitioner qua commission of offence punishable under Sections 279,304-A and 427 IPC. In appeal, filed by the petitioner against the said judgement/order, the conviction and sentence of the petitioner, as ordered by the trial Court, was upheld by the appellate Court qua commission of offence punishable under Section 304-A IPC vide order dated 6.1.2014. 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 06.5.2011, complainant- Mohd. Shakeel had gone to Chaunda for purchase of medicine along with his mother-in-law. While they were returning home on motorcycle bearing No. PB-28D-5709, at about 8.30 a.m., a truck bearing No. PB-11X-5255 came from behind and struck against the motorcycle. Jafra Begum, mother-in-law of the complainant fell on the road and received serious injuries. The motorcycle driven by the complainant was also damaged. Jafra Begum later succumbed to injuries.

Complainant appeared in the witness box as PW2 and deposed as per the prosecution case.

Since the petitioner had struck against the motorcycle driven by the complainant from behind, it is evident that he was driving his vehicle in a rash and negligent manner. Both the Courts below, after appreciating the evidence led on record, have held that the petitioner was guilty of commission of offence punishable under Section 304-A IPC. Learned counsel for the petitioner has failed to point out any misreading of evidence by the Courts below warranting interference by this Court.

Dismissed.

**(SABINA)
JUDGE**

February 20,2015
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