

CRR No. 3881 of 2012 (O&M)

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Anuradha
2016.09.23 14:27
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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Sr. No.250

CRR No. 3881 of 2012 (O&M)

Date of decision :20.09.2016

Parveen Kumar

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

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

Mr. K.S.Pannu, DAG, Punjab.

This is a revision filed by the petitioner against the concurrent orders of conviction and sentence of the Courts below whereby he was sentenced to undergo imprisonment for the commission of offence under Sections 279, 337 and 304-A IPC as under:-

Sr. No.	Under Section	Sentence	Fine	In default
1	279 IPC	To undergo RI for 6 months	Rs.200/-	To undergo SI for one month.
2.	337 IPC	To undergo RI for 6 months	Rs.200/-	To undergo SI for one month.
3.	304-A IPC	To undergo RI for one year.	Rs.500/-	To undergo SI for one month.

All the sentences were ordered to run concurrently.

On 05.12.2012 when the case come up for hearing, learned counsel for the petitioner has stated that he would not press this petition on merits but argue on sentence. He has further argued that the petitioner is a first offender and was young when the accident took place. The petitioner has undergone 11 months imprisonment out of the total sentence of one year *and* has learnt his lesson and is eligible for probation. Learned counsel for the petitioner further prays that benefit of Section 4 of the Probation of Offenders Act be granted to him since the offences are such for which this benefit can be granted.

Learned DAG has accepted that the claim of the petitioner for probation can be considered.

In the circumstances, keeping in view the nature of the offences and the fact that the petitioner is not a previous convict, it is directed that he be released on probation of good conduct on his furnishing personal bonds in the sum of Rs. 20,000/- with one surety each in the like amount to keep peace and be of good behaviour for a period of two years and to receive the sentence as and when called

upon to do so during the said period of two years. The requisite bonds will be furnished before the trial Court within a period of one month from the date of receipt of a certified copy of this order failing which he will undergo sentence imposed upon him by the trial Court.

With the modification in the quantum of sentence the aforesaid revision petition is dismissed.

Since the main case has been decided, the Criminal Misc. Application, if any, also stands disposed of.

September 20, 2016

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**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No