

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

CRR No.805 of 2012 (O&M)
Date of decision: 11.08.2016

Surender

.... Petitioner

versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. J.P.Sharma, Advocate
for the petitioner.

Mr. Satish Saini, DAG, Haryana.

Ajay Tewari, J.(Oral)

This revision petition is directed against the concurrent conviction of the petitioner in FIR No.50 of 2004 registered under Sections 279, 337, 304-A IPC at Police Station Pataudi, District Gurgaon.

Brief facts are that the instant case was registered on the basis of the statement of Shiv Kumar. He stated that on 14.04.2004, he along with other family members was returning to his village from Gurgaon on his jeep bearing registration No.DL-2CE-8823 being driven by Sumer Singh. At around 4.30 am, when they reached at bus stand Pahari, they parked their jeep on katch a left side of the road. Meanwhile, one vehicle TATA 407, registration No.HR-47-8995 came from Pataudi side at a high speed in rash and negligent manner and hit their jeep due to which the passengers of jeep received injuries. The driver of TATA 407 fled away from the spot.

Counsel for the petitioner at the very outset states that he does not press this petition on merits but prays that a lenient view may be taken in respect of the sentence awarded to the petitioner, as

the petitioner has undergone 05 months and 12 days of actual sentence out of total sentence of two years. He has placed reliance upon the decision of the Hon'ble Supreme Court in ***State of Punjab v. Saurabh Bakshi, 2015 RCR (Crl) 495*** to contend that therein also one person had died and sentence had been reduced to six months.

In these circumstances and keeping in view the decision in Saurabh Bakshi's case (supra), even while maintaining the conviction, I reduce the sentence of the petitioner to the sentence already undergone by him.

Petition stands dismissed.

August 11, 2016
sonia

(AJAY TEWARI)
JUDGE

1. Whether speaking/reasoned?

Yes/No

2. Whether reportable?

Yes/No