

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR No.3245 of 2013 (O&M)
Date of decision: March 01, 2016.

Jaswant Singh
... **Petitioner**

v.

State of Punjab
... **Respondent**

CORAM: **HON'BLE MR. JUSTICE KULDIP SINGH**

Present: Mr. L.S. Sidhu, Advocate for the petitioner.
Mr. Ashish Sanghi, Deputy Advocate General, Punjab.

- 1. *Whether Reporters of local papers may be allowed to see the judgment ?*
- 2. *Whether to be referred to the Reporters or not ?*
- 3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral):

The present petitioner has challenged the judgment dated 12.9.2013 passed by Sessions Judge, Sri Muktsar Sahib affirming the judgment and order dated 5.3.2013 passed by learned Sub Divisional Judicial Magistrate, Gidderbaha vide which the petitioner was convicted and sentenced as under:-

<i>Offence punishable under Section</i>	<i>Sentence (RI)</i>	<i>Fine (Rs.)</i>	<i>In default of payment of fine</i>
279 IPC	Six months RI	1,000/-	Seven days SI
304-A IPC	Two years RI	2,000/-	Seven days SI

I have heard learned counsel for the parties.

Learned counsel for the petitioner does not contest the revision on merits and presses the same on quantum of sentence.

Learned counsel contends that in terms of the order of this Court, he has

deposited Rs.50,000/-, to be paid as compensation to the legal heirs of the deceased Gamdoor Singh. He has no objection if the said payment is released to the legal heirs of deceased Gamdoor Singh.

In this case, Gamdoor singh died as a result of rash and negligent driving of the bus by the present petitioner.

Keeping in view the facts and circumstances and keeping in view the fact that compensation of Rs.50,000/- has been deposited before this Court, the sentence of RI for two years under Section 304-A IPC is reduced from two years to one year. Remaining part of the sentence is maintained. Compensation of Rs.50,000/- shall be paid to the legal heir of Gamdoor Singh. It is further directed that this compensation shall not be taken into consideration while awarding compensation under the Motor Vehicles Act, 1988.

With the above noted modification, the revision is dismissed.

Since the petitioner is on bail, he is directed to surrender before the trial court/jail authorities to undergo remaining part of the sentence.

March 01, 2016.
kadyan

[Kuldip Singh]
Judge