

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR-1917-2015

Date of decision : 14.01.2016

Babu Lal

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. S.S. Verma, Advocate, for
for the petitioner.

Mr. Parveen Aggarwal, DAG, Haryana.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH, J. (ORAL)

As reflected in the order dated 09.07.2015, the petitioner had pressed the appeal only for reduction of sentence. The petitioner was sentenced to undergo simple imprisonment for two years with fine of Rs. 2000 and in default thereto, simple imprisonment for one month under Section 304A IPC and sentence to undergo simple imprisonment for six months under Section 279 by Learned Chief Judicial Magistrate, Bhiwani. In the appeal, it was upheld as such. The appeal filed by the convict was dismissed by Learned Additional Sessions Judge, Bhiwani on 21.04.2015.

Learned counsel for the petitioner contends that sentence of 2 years under Section 304A is quite harsh. The perusal of the judgment shows that truck of the accused struck against the deceased and in accident, the deceased Sajjan died. Keeping in view

the manner in which the incident took place and the fact that one person died in the accident, I am of the view that this case does not call for maximum punishment. Therefore, the considered facts and circumstances, the sentence of two years under Section 304A IPC is reduced to one year and three months. The fine is kept intact. The sentence passed under Section 279 IPC is also kept intact.

With these modifications, the appeal is dismissed.

January 14, 2016
Dinesh

(KULDIP SINGH)
JUDGE