

227 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No.212 of 2015 (O&M)
Date of Decision: February 15, 2016

Dharminder Singh Petitioner

vs.

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. A.K. Kanwar, Advocate for the petitioner.

Mr. Ashish Sanghi, DAG, Punjab.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
- 2. To be referred to the Reporters or not?
- 3. Whether the judgment should be reported in the Digest?

Kuldip Singh J.(Oral)

This revision is against the judgment dated 30.10.2014 passed by learned Addl. Sessions Judge, S.A.S. Nagar, Mohali, affirming the judgment of conviction and order of sentence dated 25.11.2013 passed by learned Judicial Magistrate 1st Class, S.A.S. Nagar, Mohali, whereby the present petitioner was convicted and sentenced as under:

Sr. No.	Offence punishable u/s	Sentence (R.I.)	Fine (Rs.)	In default of fine
1	279 IPC	6 months	--	--
2	304-A IPC	2 years	1,000/-	1 month

Both the substantive sentences were directed to run concurrently.

At the motion stage, learned counsel for the petitioner does not press the present revision petition on merits and presses the revision petition only on the point of quantum of sentence.

I have heard learned counsel for the petitioner and have also carefully gone through the case file.

It is contended that in this accident, one person died due to rash and negligent driving of the present petitioner. The sentence of 2 years, which is maximum for the commission of offence punishable under Section 304-A IPC awarded to the petitioner is harsh.

Taking into consideration the facts and circumstances and entirety of the case, I am of the view that there is scope for reduction in the sentence awarded to the petitioner for the commission of offence punishable under Section 304-A IPC. Therefore, the sentence under the said section is reduced from 2 years to 1 year 3 months. The remaining part of the sentence awarded under Section 304-A and 279 IPC is maintained.

With the aforesaid modification, the present revision petition stands dismissed.

February 15, 2016
sarita

(KULDIP SINGH)
JUDGE