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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 1231 of 2016 (O/M)
Date of decision : 30.3.2016

Krishan Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. A.K. Walia, Advocate, for the petitioner.

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 ?
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KULDIP SINGH J. (ORAL)

Impugned in the present revision is the judgment dated 16.2.2016, passed by the learned Additional Sessions Judge, SAS Nagar, Mohali, affirming the judgment of conviction and order of sentence dated 17.10.2013, passed by the learned Sub Divisional Judicial Magistrate, Dera Bassi, vide which the present petitioner was convicted for commission of offence punishable under Section 304-A IPC and was sentenced to undergo rigorous imprisonment for one year and to pay a fine of Rs. 1,000/-, in default thereof, to further undergo rigorous imprisonment for 15 days.

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

The learned counsel has argued that the deceased was

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run over under the rear tyre of offending vehicle i.e. bus bearing registration No. PB-01-T-6627. Therefore, the negligence of the petitioner is not proved. The facts and circumstances show that the deceased, who was an old lady, was walking on foot. The occurrence took place on the side of the bus stand. Therefore, it is apparent that the driver of the bus failed to notice the people walking around the offending vehicle and drove it negligently, with the result that the body of the bus hit the pedestrian and she was run over by the bus. The body was found underneath the bus and was taken to hospital. Therefore, the public available at bus stand noted down the number of the bus and identity of the accused.

After going through the judgments of both the Courts below, I am of the view that there is no illegality or infirmity in the findings recorded by both the Courts below. Since the petitioner has been awarded sentence for one year rigorous imprisonment in addition to fine for commission of offence punishable under Section 304-A IPC, therefore, there is no scope for reducing the sentence.

Hence, the present revision is dismissed.

(KULDIP SINGH)
JUDGE

30.3.2016
sjks