

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRR No.2503 of 2015 (O&M)

Date of decision: 18.01.2016

Amandeep Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Ajay Singla, 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)

Impugned in the present revision is judgment dated 30.5.2015, passed by the learned Additional Sessions Judge, Jalandhar, affirming the judgment and order dated 12.11.2014, passed by the learned Judicial Magistrate 1st Class, Jalandhar, vide which, accused -petitioner was convicted under Sections 279 and 304-A IPC and sentenced to undergo RI for six months under Section 279 IPC and for two years under Section 304-A IPC.

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

During arguments, learned counsel for the petitioner has not challenged the merits of the case and has only pressed the revision qua quantum of sentence. It has been argued that in this

case, one person died. The petitioner has old mother and the family to look after. Therefore, sentence of two years under Section 304-A IPC is quite harsh.

The request has been opposed by the State counsel on the ground that the petitioner was driving a mini bus and he jumped the red light and thereafter hit the cyclist, then rickshaw puller and then motorcycle of the complainant. The cyclist died at the spot. The rickshaw puller, complainant and his daughter also suffered injuries and their vehicles were also damaged. Therefore, it is requested that no leniency should be shown.

After considering the facts and circumstances of the case and keeping in view the fact that one person has died as a result of rash and negligent driving, the sentence of RI for two years under Section 304-A IPC is reduced to one year and three months whereas sentence awarded for the offence u/s 279 IPC is maintained. With this modification, the revision is dismissed.

18.01.2016
gk

(Kuldip Singh)
Judge