

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRR No.1414 of 2016 (O&M)

Date of Decision: 08.11.2016

Madan Salhotra

...Petitioner

Versus

State of Punjab and others

... Respondents

**CORAM:- HON'BLE MR. JUSTICE M. JEYAPPAUL
HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA**

Present:- Mr. Amandeep Singh Manaise, Advocate,
for the petitioner.

M. JEYAPPAUL, J. (ORAL)

Complainant Madan Salhotra has filed the present revision petition praying for enhancement of the sentence of 07 years imposed on accused Aman Kumar for an offence punishable under Section 307 of the Indian Penal Code.

The case of the prosecution is that accused Aman Kumar who was armed with a *kirpan* attacked Vijay Kumar on his forehead and caused an incised wound.

The trial Court having considered the fact that accused Aman Kumar was a bachelor and the other facts and circumstances, chose to award sentence of 07 years to Aman Kumar for the offence committed under Section 307 of the Indian Penal Code.

Learned counsel appearing for the revision petitioner would vehemently submit that considering the nature of weapon used by Aman Kumar and the nature of injury found on the forehead of Vijay Kumar, the sentence of 07 years imposed on Aman Kumar be enhanced substantially.

On a perusal of the case file, we find that accused Aman Kumar

has caused only one injury on the forehead of Vijay Kumar. Of course, the said injury was certified as dangerous to life by the doctor who medico legally examined Vijay Kumar. The fact remains that Aman Kumar had not chosen to repeat his attack with all vehemence on Vijay Kumar in order to cause his death. Further, he is still a bachelor as per the observations made by the trial Court. There is every possibility for Aman Kumar to reform himself. Therefore, imposition of sentence beyond 07 years may have an adverse impact on the reformatory process.

In view of the above, we find that the imposition of 07 years sentence on Aman Kumar for an offence under Section 307 IPC is not on the lower side and therefore, there is no merit in the revision petition.

Petition stands dismissed.

(M.JEYAPPAUL)
JUDGE

08.11.2016

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No