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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 164 of 2016 (O/M)
Date of decision : 25.2.2016

Khushpreet Singh

..... Revisionist

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Sudhir Sharma, Advocate, for the revisionist.

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 criminal revision is the judgment dated 8.12.2015, passed by the learned Additional Sessions Judge, Rupnagar, affirming the judgment of conviction and order of sentence 5.1.2015, passed by the learned Chief Judicial Magistrate Rupnagar, vide which the present revisionist was convicted under Sections 279 and 304-A IPC and was sentenced to undergo rigorous imprisonment for 3 months under Section 279 IPC. He was also sentenced to undergo rigorous imprisonment for 2 years and to pay fine of Rs. 1,000/-, in default thereof, to further undergo rigorous imprisonment for one months, under Section 304-A IPC. Both the sentences were ordered to run concurrently.

The lower Court record received.

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Learned counsel for the revisionist does not press the judgments of both the Courts below on merits and presses the revision only on the point of quantum of sentence.

Notice of motion.

On the asking of the Court, Mr. A.P.S. Gill, Assistant Advocate General, Punjab, accepts notice on behalf of respondent-State.

Heard.

It is contended that in this case, a cyclist, namely, Gurnam Singh, died as a result of motor vehicular accident. It is stated that the revisionist has been sentenced to undergo rigorous imprisonment for two years under Section 304-A IPC, which is maximum provided for the offence. It is further stated that the revisionist was a young man of 37 years at the time of pronouncement of judgment by the trial Court. He is suffering from neurology problem and, therefore, leniency should be shown in the matter of quantum of sentence.

Keeping in view the entirety of the facts and circumstances and the fact that there is no previous conviction against the revisionist and also the fact that the father of the accused had taken the deceased to hospital, the sentence of two years awarded to the revisionist under Section 304-A IPC is reduced to one year. The remaining sentence awarded for the offence

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punishable under Sections 279 and 304-A IPC is maintained.

With the abovesaid modification, the present revision is
dismissed.

(KULDIP SINGH)
JUDGE

25.2.2016
sjks