

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRR No.1832 of 2016 (O&M)
Date of decision: 08.08.2016

Laxmi Narain

.... Petitioner

versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Amit Choudhary, Advocate
for the petitioner.

Mr. Amrik Narwal, DAG, Haryana.

Ajay Tewari, J.(Oral)

This revision petition is directed against the concurrent conviction of the petitioner under Sections 279, 337, 338 and 304-A IPC.

Brief facts are that the instant case was registered on the basis of the statement of Vijay Singh. He stated that on 05.12.2007, he along with others had gone to attend the marriage of his brother Puran Mal on their cars and when they reached near village Akwankli turn, G.T. Road Fatehabad a canter came from the opposite side in rash and negligent manner and hit the Indica Car, as a result of which the driver of Indica car died on the spot. After sometime, Kulwant son of Jagdish also died at General Hospital, Fatehabad.

Counsel for the petitioner at the very outset states that he does not press this petition on merits but prays that a lenient view may be taken in respect of the sentence awarded to the petitioner, as he has now been in custody since 21.03.2016 and, thus, he has undergone 05 months and 03 days of actual sentence out of total sentence of two years. He has placed reliance upon the decision of the

Hon'ble Supreme Court in ***State of Punjab v. Saurabh Bakshi,***

2015 RCR (CrI) 495 to contend that therein also one person had died and sentence had been reduced to six months.

In these circumstances and keeping in view the decision in Saurabh Bakshi's case (supra), even while maintaining the conviction, I reduce the sentence of the petitioner to the sentence already undergone by him.

Petition stands dismissed.

August 08, 2016
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(AJAY TEWARI)
JUDGE

1. Whether speaking/reasoned?

Yes/No

2. Whether reportable?

Yes/No