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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 3019 of 2015 (O/M)
Date of decision : 7.4.2016

Kamaljit Singh Petitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Manvinder Singh Sidhu, Advocate, for the petitioner.

Mr. A.P.S. Gill, Assistant A.G. Punjab.

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)

The revision is against the concurrent findings recorded by two Courts below, whereby the convict was convicted for commission of offences punishable under Sections 279 and 304-A IPC by the learned Judicial Magistrate 1st Class, Ludhiana, vide judgment of conviction and order of sentence dated 14.10.2014. The petitioner was sentenced to undergo simple imprisonment for six months under Section 279 IPC. He was further sentenced to undergo simple imprisonment for two years under Section 304-A IPC. Both the sentences were ordered to run concurrently.

The learned counsel for the petitioner presses the revision only on the quantum of sentence. It is argued that the

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sentence of two years simple imprisonment, awarded under Section 304-A IPC is on the higher side. It is contended that this is the maximum sentence, which is awarded under Section 304-A IPC and the facts of the present case do not warrant the maximum sentence, attracted under Section 304-A IPC.

The facts of the case shows that accused while driving a TATA-407 jumped red lights near Sahnewal Chowk in Ludhiana district and hit the scooter of one Baldev Singh, who died.

Considering the facts and circumstances, I am the view that there is scope for some concession in sentence, passed under Section 304-A IPC. Therefore, the sentence awarded under Section 304-A IPC is reduced from 2 years simple imprisonment to 1 year and 3 months simple imprisonment. The remaining part of the sentence and the sentence passed under Section 279 IPC is maintained.

With the abovenoted modification, the present revision is dismissed.

(KULDIP SINGH)
JUDGE

7.4.2016
sjks