

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

**CRR No.1935 of 2016 (O&M)
Date of Decision: July 11, 2016**

Dharamveer

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Surinder Pal Singh Tinna, Advocate
for the petitioner.

INDERJIT SINGH, J.

The present revision has been filed by the petitioner Dharamveer against respondent State of Punjab, challenging the impugned judgment of conviction and order of sentence dated 10.07.2014 passed by learned Sub Divisional Judicial Magistrate, Malout, vide which the petitioner was convicted and sentenced to undergo rigorous imprisonment for a period of six months under Section 279 IPC and to undergo rigorous imprisonment for a period of two years and to pay a fine of ₹1000/- under Section 304-A IPC and in default of payment of fine, to undergo rigorous imprisonment for a period of one month and also challenging the judgment dated 19.03.2016 passed by learned Sessions Judge, Sri Muktsar Sahib, vide which appeal filed by petitioner was disposed of and the sentence of the petitioner was reduced to one year under Section 304-A IPC. Both the sentences were ordered to run concurrently.

At the time of arguments, learned counsel for the petitioner did not dispute the concurrent findings of the Courts below regarding conviction and only contended on the point of reduction of sentence.

I have heard learned counsel for the petitioner and have gone through the record.

The perusal of the record shows that after the conviction by learned Magistrate, an appeal was filed by the petitioner before the Sessions Court and in the appeal also, the present petitioner has only prayed for reduction of sentence and has not contested the findings regarding conviction. Learned Sessions Judge, Sri Muktsar Sahib, after noting down the facts that appellant has a family consisting of his old parents, wife and two minor female children and the fact that he has suffered from the criminal trial for the last about 7 years, reduced the sentence to one year under Section 304-A IPC.

When these facts have already been considered by the lower Appellate Court while reducing the sentence of the petitioner, that he has old parents and children dependent upon him and that he has been suffering from the long protracted criminal trial, then, no special case is made to further reduce the sentence. Therefore, I do not find any ground to reduce the sentence of the petitioner.

Resultantly, finding no merit in the present petition, the same is dismissed.

July 11, 2016
Vgulati

(INDERJIT SINGH)
JUDGE