

114 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No.1961 of 2016 (O/M)
Date of decision : May 25, 2016

Durga Parshad alias Gudda Petitioner

Versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Keshav Pratap Singh, Advocate for the petitioner.

- 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 ?

KULDIP SINGH J. (ORAL)

This revision has been filed against the judgment dated 11.05.2016 passed by learned Sessions Judge, Palwal, affirming the judgment of conviction and order of sentence dated 08.12.2015 passed by learned Chief Judicial Magistrate, Palwal, vide which the petitioner was convicted and sentenced as under:

Sr. No.	Offence (IPC)	Sentence	Fine (₹)	In default of fine
1	279	6 months (S.I.)	--	--
2	337	6 months (S.I.)	--	--
3	338	6 months (S.I.)	--	--
4	304-A	2 years (S.I.)	500/-	2 months (S.I.)

All the sentences were directed to run concurrently.

The limited prayer of learned counsel for the petitioner is on the point of quantum of sentence only. Notice of motion only on the point of quantum of sentence.

Ms. Supriya Arora, AAG, Haryana, accepts notice on behalf of the State.

Learned counsel for the petitioner pleads that the sentence of simple imprisonment for two years awarded for the commission of offence punishable under Section 304-A IPC is quite harsh.

In this case, one person, namely Deepak lost his life. Both the courts below have not recorded any finding that the present petitioner was previously involved in the similar nature of offence. Therefore, after considering the facts and circumstances of the case, the sentence of simple imprisonment for two years awarded to the petitioner for the commission of offence punishable under Section 304-A IPC is reduced to 1 year and 3 months. However, the remaining part of the sentence awarded under Section 304-A IPC and other Sections are maintained.

With the aforesaid modification, the present revision petition stands dismissed.

(KULDIP SINGH)
JUDGE

May 25, 2016
sarita