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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 3479 of 2014 (O/M)

Date of decision : 27.4.2016

Surjan Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. M.S. Rana, Advocate, for,
Mr. Ramesh Sharma, Advocate, for the petitioner.

Mr. P.S. Paul, Deputy 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 present petitioner was convicted under Sections 279 and 304-A IPC by the learned Sub Divisional Judicial Magistrate, Samana, vide judgment of conviction and order of sentence dated 7.3.2014, and was sentenced to undergo rigorous imprisonment for two years and to pay a fine of Rs. 9,000/-, in default thereof, to further undergo simple imprisonment for one month under Section 304-A IPC. He was also sentenced to undergo rigorous imprisonment for 6 months and to pay a fine of Rs. 1,000/-, in default thereof, to further undergo simple imprisonment for 15 days under Section 279 IPC. Both the sentences were directed to run

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concurrently. The appeal filed by the present petitioner was dismissed by the learned Additional Sessions Judge, Patiala, vide judgment dated 28.8.2014.

Before this Court, the notice was issued only regarding quantum of sentence.

I have heard the learned counsel for the parties and have also carefully gone through the file.

In this case, one person lost his life due to rash and negligent driving by the present petitioner. Considering the facts and circumstances of the present case, the sentence of rigorous imprisonment for 2 years under Section 304-A IPC is reduced to rigorous imprisonment for 1 year and 3 months. The remaining part of the sentence under Section 304-A IPC is maintained. The sentence passed under Section 279 IPC is also maintained.

With the abovesaid modification, the present revision is dismissed.

Since the present petitioner was granted interim bail by this Court, the same stands cancelled and the present petitioner is directed to surrender before the jail authorities or the trial Court immediately, to undergo the remaining part of the sentence

(KULDIP SINGH)
JUDGE

27.4.2016
sjks