

CRR- 2411 of 2016 (O&M)

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

**CRR- 2411 of 2016 (O&M)
Date of Decision: 27.10.2016**

Bawa Singh

.....Petitioner

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Ms. Supriya Garg, Advocate for the petitioner.

Mr. K.S.Pannu, DAG, Punjab.

AJAY TEWARI, J. (Oral)

This revision has been filed against the concurrent conviction of the petitioner for the commission of offences under Sections 279, 304-A and 338 IPC in FIR No.07 dated 17.01.2011 registered at Police Station Sadar, Pathankot.

The sentence awarded to the petitioner is as under:-

Sentence under Section	Imprisonment awarded	Fine	In default of payment of fine
279 IPC	R.I. for Six months	-	-
304-A IPC	R.I. For 02 years	Rs. 300/-	R.I for 30 days.
338 IPC	R.I for 01 year	Rs. 200/-	R.I for 30 days.

Custody certificate by way of affidavit of Jodga Singh, PPS,

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Superintendent, Central Jail, Bhandinda on behalf of State has been filed and the same is taken on record. Copy supplied to the counsel opposite. As per the custody certificate, the petitioner has undergone actual sentence of 08 months and 01 days out of the total sentence of 02 years.

Learned counsel for the petitioner has placed reliance upon the decision of the Hon'ble Supreme Court in **State of Punjab v. Saurabh Bakshi, 2015 RCR (Crl) 495** to contend that therein also one person had died and sentence had been reduced to six months.

Learned DAG Punjab is not in a position to justify this sentence.

In these circumstances and keeping in view the decision in Saurabh Bakshi's case (supra), the sentence of the petitioner is reduced to that he has already undergone.

Revision petition stands disposed of.

Since the main case has been decided, the Criminal Misc. Application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

27.10.2016
anuradha

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No