

CRR No. 2493 of 2016

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

CRR No. 2493 of 2016

Date of decision : November 07, 2016

Bikramjit Singh

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Arun Abrol, Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG Punjab

Ajay Tewari, J (Oral)

This revision petition is directed against the concurrent conviction of the petitioner under Sections 279, 304-A of the IPC.

Brief facts are that on 13.11.2011 at about 7.45 AM in front of the petrol pump, a little behind village Naushehra Pannuan, the offending vehicle struck against the car of the deceased, and as a result of this accident, two occupants of the car died.

Custody certificate by way of affidavit of Vipanjeet Singh, Officiating Superintendent, Central Jail, Amritsar has been filed. As per the same, the petitioner has undergone 6 months and 17 days of actual

sentence out of total sentence of 1 year.

At the very outset, counsel for the petitioner states that he does not press this petition on merits but prays that a lenient view may be taken in respect of the sentence awarded to the petitioner, since he has been suffering the agony of these proceedings for the last almost five years. He has placed reliance upon the decision of the Hon'ble Supreme Court in State of Punjab v. Saurabh Bakshi, 2015 RCR (CrI) 495 to contend that therein one person had died, sentence had been reduced to six months.

On the other hand, it can also be argued that for this long time, it is the complainant who has faced the agony of watching the petitioner avoiding his punishment. However, on a balance the prejudice caused to the petitioner slightly outweighs that caused to the complainant. In these circumstances and keeping in view the decision in Saurabh Bakshi's case (supra), even while maintaining the conviction, I reduce the sentence of the petitioner to nine months. Petition stands disposed of.

(AJAY TEWARI)
JUDGE

November 07, 2016
'kk'

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No

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