

236 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR- 2524 of 2016 (O&M)
Date of Decision: 09.11.2016

Gurmukh Singh

.....Petitioner

versus

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Ashish Gupta, Advocate for the petitioner.

Mr. Satish Saini, DAG, Haryana.

AJAY TEWARI, J. (Oral)

This revision has been filed against the concurrent conviction of the petitioner for the commission of offences under Sections 279 and 304-A IPC in FIR No.144 dated 18.04.2006 registered at Police Station Assandh, District Karnal.

The sentence awarded to the petitioner is as under:-

Under Section 279 IPC	:	To undergo rigorous imprisonment for six months.
Under Section 304-A IPC	:	To undergo rigorous imprisonment for one year and to pay fine of Rs.1000/-. In default of payment of fine to further undergo simple imprisonment for fifteen days.

Both the sentences shall run concurrently.

Custody certificate by way of affidavit of Ashok Kumar, Deputy Superintendent of District Prison, Karnal 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 05 months and 05 days out of the total sentence of one year upto 07.11.2016.

Learned counsel for the petitioner states that he does not dispute this revision on merits but prays that some leniency be shown in the sentence since the petitioner has learnt his lesson and any long incarceration may not have any reformatory effect but may ultimately harden the petitioner. He has further relied upon the judgment of the Supreme Court in the case of *State of Punjab Vs. Saurabh Bakshi, reported as 2015(2)RCR(Crl.) 495*.

In my considered opinion, these factors would justify a reduction in the sentence. Consequently, the revision against the conviction is dismissed but the sentence of the petitioner is reduced to six months. The fine shall remain unchanged.

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

09.11.2016
pooja sharma-I

Whether speaking/reasoned Yes/No

Whether Reportable : Yes/No