

CRR No. 2646 of 2016 (O&M)

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

CRR No. 2646 of 2016 (O&M)

Date of decision : September 02, 2016

Darshan Singh,

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Gagandeep Singh Chhina, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG Punjab

Ajay Tewari, J (Oral)

CRM No.22727 of 2016

For the reasons recorded, this application is allowed and
delay of 23 days in filing the revision petition is condoned.

CRR No.2646 of 2016

This revision petition has been filed against the concurrent
conviction of the petitioner under Section 304-A of the IPC.

Brief facts are that on 23.3.2011 the complainant and his
brother Umesh Sharma were coming back from Jhakholahri to Sarna on

their bicycles and at about 6.15 pm the offending bus came from Dina Nagar at a very high speed and hit the cycle of Umesh Sharma, as a result of which he fell down, received head injuries and ultimately died.

Counsel for the petitioner has argued 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 more than five years. He 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 one person had died and sentence had been reduced to six months.

Learned Additional AG Punjab is not in a position to cite any contrary judgment.

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 six months. Petition stands disposed of.

September 02, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No

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