

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR No.4224 of 2015 (O&M)
Date of Decision: May 05, 2016

Mangal Singh

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Vinay Kumar Gupta, Advocate
 for the petitioner.

Mr.P.S.Grewal, Deputy Advocate General, Punjab
 for the respondent-State.

Mr.K.S.Brar, Advocate
 for respondents No.2 and 3.

INDERJIT SINGH, J.

The present revision has been filed by the petitioner Mangal Singh against State of Punjab and other respondents challenging the impugned judgment of conviction and order of sentence dated 09.03.2015 passed by learned Judicial Magistrate Ist Class, Abohar, vide which the petitioner was convicted and sentenced to undergo rigorous imprisonment for a period of two years and to pay a fine of ₹3000/- and in default of payment of fine, to undergo rigorous imprisonment for a period of one month under Section 304-A IPC and also challenging the judgment dated 06.10.2015 passed by learned Addl. Sessions Judge, Fazilka, vide which appeal filed by

petitioner was dismissed.

Vide order dated 03.11.2015 passed by this Court, the conviction of the petitioner was upheld and notice of motion was issued only qua quantum of sentence. Learned State counsel as well as learned counsel for respondents No.2 and 3 legal heirs of deceased, appeared in this case.

At the time of arguments, learned counsel for the petitioner again prayed for reduction of sentence. He contended that petitioner has compromised the matter with private respondents and has also paid compensation of ₹50,000/- to them.

Learned counsel for respondents No.2 and 3 admitted that compromise has already been effected and respondents No.2 and 3 have received ₹50,000/- as compensation from the petitioner and have no objection, if the sentence of the petitioner is reduced.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

Keeping in view the facts and circumstances of the present case and in view of the compromise and further in view of the fact that petitioner is suffering from long protracted criminal proceedings for the last more than four years and has already undergone imprisonment for a period of six months and earned remission of twenty days, the sentence of the petitioner is reduced. The petitioner is directed to undergo rigorous imprisonment for a period of eight months instead of one year. However, the sentence of fine and default thereof shall remain the same.

With the above-said modification in the sentence, the present revision petition stands dismissed.

May 05, 2016
Vgulati

(INDERJIT SINGH)
JUDGE