

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

**Criminal Revision No.3160 of 2016 (O&M)
Date of Decision : 07th November, 2016**

Attar Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. S.P.Chahar, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana
for the respondent(s)-State.

AJAY TEWARI, J. (Oral)

Petitioner has preferred the instant revision petition against the judgment dated 06.06.2016, passed by the learned Addl. Sessions Judge, Rewari, dismissing his appeal against the judgment of conviction dated 14.03.2014 and order of sentence dated 15.03.2014, passed by the learned Chief Judicial Magistrate, Rewari Camp at Kosli vide which he was held guilty for the commission of offence punishable under Sections 279, 337, 338 and 304-A IPC and sentenced to undergo rigorous imprisonment for a period of 06 months and to pay a fine of Rs.1,000/- under Section 279 IPC; rigorous imprisonment for a period of 06 months and to pay a fine of Rs.500/- under Section 337 IPC; rigorous imprisonment for a period of 01 year and to pay a fine of Rs.1,000/- under Section 338 IPC and rigorous imprisonment for a period of 02 years and to pay a fine of Rs.2500/- under Section 304-A IPC.

The allegations against the petitioner are that he while driving a truck bearing registration No.HR-36-A/1771, rashly and negligently at high

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speed collided against the vehicle TATA 407 and due to this collusion, the said TATA 407 also collided against the car of the complainant. Due to the said collusion, seven persons received injuries and one person died.

Custody certificates by way of affidavit of Dharamvir Singh, Deputy Superintendent, District Prison Narnaul, has been filed. Same is taken on record. As per custody certificate, petitioner has already undergone 05 months and 02 days of actual sentence.

Learned counsel for the petitioner argued that he will not press this petition on merit 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 04 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, sentence had been reduced to eight months.

Learned State counsel is not in a position to justify this sentence.

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 eight months.

Petition stands dismissed accordingly.

(AJAY TEWARI)
JUDGE

07th November, 2016

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Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No