

CRR No. 3233 of 2016

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

CRR No. 3233 of 2016 (O&M)

Date of decision : November 10, 2016

Jit Singh,

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. SPS Sidhu, Advocate
for the petitioner.

Mr. KS Pannu, 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.

As per allegations, the petitioner was driving an illegal peter rehra when he ran over the nephew of the complainant on 18.11.2013 at about 8.30 am.

Custody certificate by way of affidavit of Ajmer Singh,

Superintendent, Central Jail, Ferozepur has been filed. As per the same,

the petitioner has undergone 7 months and 10 days of actual sentence out of total sentence of 1 year.

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 three 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 six months.

Learned DAG Punjab states that the distinguishing feature in the present case is that the petitioner was driving an illegal vehicle.

No doubt this would further compound the offence. 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.

November 10, 2016
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No

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