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CRR No.3431 of 2016 (O&M)

....Petitioner

Versus

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Vikas Singh, Advocate
for the petitioner.

Mr. K. S. Pannu, DAG, Punjab.

AJAY TEWARI, J. (ORAL)

This revision has been filed against the concurrent conviction of the petitioner for the commission of offence under Sections 279, 304-A, 427 of the IPC in FIR No.55 dated 09.07.2010 registered at Police Station Chhajli.

The brief facts of the case are that Pargat Singh and Jaswant Singh @ Mani were going on a motor cycle from Sunam towards their village Maur and the complainant Lakhwinder Singh was following them on his motorcycle. On 8.7.2010 at about 10.30 p.m., one car being driven rashly, negligently and at a high speed came from the opposite side and struck against the motorcycle, as a result of which Pargat Singh and Jaswant Singh @ Mani died at the spot.

The sentence awarded to the petitioner is as under:-

Name of the accused	Offence	Punishment	Fine	In default of payment of fine
Pushpinder Singh	279 IPC	RI for Six months	500/-	RI for One month
	304-A IPC	RI for One year	1000/-	RI for One month

Custody certificate by way of an affidavit of Hardeep Singh, PPS, Superintendent, District Jail, Sangrur has been filed and the same is taken on record. As per the custody certificate, the petitioner has undergone 04 months and 02 days out of total sentence of one year.

Learned counsel for the petitioner states that the petitioner has undergone four months and two days out of the total sentence of one year. He further 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 relied upon *State of Punjab Vs. Saurabh Bakshi, reported as 2015(2)RCR (Crl.) 495*.

Learned Deputy Advocate General has accepted these facts.

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 08 months.

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

December 07, 2016

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No