

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

**C.R.R No.3537 of 2016 (O&M)
Date of Decision : 14.12.2016**

Jagtar Singh @ Lali

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Vivek Sharma, Adv. for
Mr. Gurcharan Dass, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl.A.G., Punjab.

AJAY TEWARI, J. (Oral)

The present revision has been filed against the concurrent judgments & orders of the Courts below convicting the petitioner and sentencing him to undergo rigorous imprisonment of 1 year for an offence under Sections 279 IPC & 304-A IPC.

Custody certificate filed by way of affidavit of Joginder Singh, PPS, Superintendent, Central Prison, Ludhiana is taken on record, whereby it has been certified that the petitioner has undergone 6 months and 8 days out of the total sentence.

Learned counsel for the petitioner has argued he does not wish to press this petition on merits but there may be some scope in reduction of the sentence. He has further relied upon the judgment in

the matter of *State of Punjab v. Saurabh Bakshi, 2015 RCR (Crl) 495*, wherein the Hon'ble Supreme Court in a similar case has reduced the sentence from 1 year to 6 months and prays that the sentence of the petitioner may be reduced to that he has already undergone.

Learned Additional Advocate General has however argued that in Saurabh Bakshi's case (supra) even though the Hon'ble Supreme Court has reduced the sentence as aforesaid but observed that the offence of rash and negligent driving is assuming alarming proportions resulting in mushrooming of road fatalities, and have directed that the sentence has to be commensurate with these realities.

In view of the facts and circumstances mentioned above, I deem it appropriate to reduce the sentence of the petitioner to that he has already undergone. In the circumstances, even while dismissing this revision and upholding the conviction of the petitioner, I reduce the sentence of the petitioner to that he has already undergone. The petitioner is in jail, therefore, he be released forthwith.

Petition stands disposed of.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

December 14, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No