

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 4831 of 2015 (O/M)
Date of decision : 1.2.2016

Ram Mehar

..... Revisionist

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Bipan Ghai, Senior Advocate, with,
Mr. Paras Talwar, Advocate, for the revisionist.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
 2. To be referred to the Reporter or not.
 3. Whether the judgment should be reported in the digest ?
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KULDIP SINGH J. (ORAL)

The learned senior counsel for the revisionist presses the revision only on the quantum of sentence.

The present revisionist has been convicted under Sections 279, 304-A IPC by the learned Judicial Magistrate 1st Class, Rewari, vide judgment of conviction dated 12.9.2011 and order of sentence dated 13.9.2011. He was sentenced to undergo simple imprisonment for six month and fine of Rs. 1,000/-, in default thereof, to further undergo simple imprisonment for one month under Section 279 IPC. He was also sentenced to undergo simple imprisonment for two years and fine of Rs. 3,000/-, in default thereof, to further undergo simple imprisonment for three months under Section 304A IPC. Both the sentences were directed to run concurrently.

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The allegations against the revisionist are that while he was reversing tractor trolley rashly and negligently, the tractor trolley ran over the minor child Avinash, who died at the spot.

After considering the facts and circumstances, I am of the view that there is scope for concession in sentence, awarded under Section 304-A IPC. Therefore, taking into consideration the facts and circumstances, the sentence of two years under Section 304-A IPC is reduced to one year and three months. The remaining part of the sentence is kept intact.

With the abovesaid modification, the present revision is dismissed.

(KULDIP SINGH)
JUDGE

1.2.2016
sjks