

CRR-3709-2016 (O&M)

Anuradha
2016.12.28 12:44
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**230 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRR-3709-2016 (O&M)
Date of Decision: 20.12.2016**

JAGMIT SINGH

.....Petitioner

versus

STATE OF PUNJAB

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr.Lokesh Sharma, Advocate for
Mr. Naresh Kumar Manchanda, Advocate
for the petitioner.

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

Mr. Amandeep Singh Rai, Advocate
for the complainant.

AJAY TEWARI, J. (Oral)

This revision has been filed against the concurrent conviction of the petitioner for the commission of offences under Sections 304-A, 279-A and 427 IPC .

The sentence awarded to the petitioner is as under:-

Sentence under Section	Imprisonment awarded	Fine	In default of payment of fine
304-A IPC	R.I. For 02 years	Rs. 1000/-	Imprisonment for 15 days.
279-A	R.I. For 03 months.	-	
427 IPC	R.I 01 Year	-	-

Brief facts of the case are that on 04.01.2012, the complainant-Sukhpal was coming back from the village of his daughter then he met Sewak Singh and Karnail Singh on the bus stand. After taking tea when they proceeded towards Bathinda a truck bearing registration No. HR-03-GA-0469 driven by the driver-petitioner in a rash and negligent manner and hit the truck against the car of Sewak Singh which got damaged and both Sewak Singh and Karnail Singh had suffered serious injuries and later died. The driver-petitioner ran away from the spot along with truck. Thereafter on the statement of Sukhpal Singh-complainant the present FIR was registered.

Learned counsel for the petitioner states that petitioner has been in custody since 27.7.2016.

Learned DAG has accepted this fact.

Counsel for the petitioner at the very outset states 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 facing the agony of these proceedings since 2010. 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 and sentence had been reduced to six months.

In Saurabh Bakshi's case (supra) there was one death and the sentence was reduced to 6 months but in the present case, there are two deaths. Since in this case there are 2 deaths, in my opinion it would be appropriate if the sentence is reduced to 1 year.

Ordered accordingly.

Consequently even while upholding the conviction, I reduce the sentence of the petitioner to one year.

Petition stands disposed of.

Since the main case has been decided, the Criminal Misc. Application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

20.12.2016
anuradha

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No