

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

251

CRR-3883-2016

Date of decision : 29.11.2016

Rajesh Kumar

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Aditya Sanghi , Advocate
for the petitioner.

Mr. Amrik Narwal, DAG, Haryana.

AJAY TEWARI, J. (Oral)

This revision petition is directed against the concurrent conviction of the petitioner under Sections 279/338/304-A of the IPC. The trial Court sentenced the petitioner to RI for 01 year, whereas the appellate Court maintain his conviction.

Brief facts are that the present case was registered on the allegations that on 07.08.2010 in the area of Police Station Khol, the petitioner drove TATA 407 bearing registration N. HR-66/5250 in a rash and negligent manner so as to endanger human life and personal safety of others.

Custody certificate by way of affidavit of Devi Dayal, Deputy

Superintendent, District Jail, Gurugram has been filed. As per the same, the petitioner has undergone 03 months and 14 days of actual sentence out of total sentence of one year.

Counsel for the petitioner 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 the matter of State of Punjab v. Saurabh Bakshi, 2015 RCR (Crl) 495 to contend that therein also sentence had been reduced to six months.

Learned DAG is not in a position to justify this sentence.

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 six months.

Petition stands disposed of.

November 29, 2016
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No