

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

**CRR No.621 of 2016 (O&M)
Date of Decision: February 16, 2016**

Jaswinder Singh @ Kala Petitioner

vs.

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Malhar Singh Dhami, Advocate for the petitioner.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

Learned counsel for the petitioner presses the present revision petition only qua the quantum of sentence.

Notice of motion.

On asking of the Court, Mr. Ashish Sanghi, DAG, Punjab, accepts notice on behalf of the State.

Heard.

The allegations against the present petitioner are that on 22.08.2010, he, while driving tipper bearing registration No.PB-12H-2895, struck against the scooter bearing registration No.PB-16C-4353 belonging to complainant Mangal Singh. In the accident, the daughter of the complainant, namely, Harinder Kaur, who was riding the scooter, was run over by the tipper. The petitioner was apprehended at the spot by the public.

Learned counsel for the petitioner contends that the sentence of two years awarded to the present petitioner for the

commission of offence punishable under Section 304-A IPC is on the higher side. It is further contended that the petitioner is the first offender and there was no intention to commit the crime.

Keeping in view the entirety of the facts and circumstances of the case, there is scope of reducing the sentence awarded to the petitioner under Section 304-A IPC. Therefore, the sentence awarded to the present petitioner for the commission of offence punishable under Section 304-A IPC is reduced from 2 years to 1-½ years. However, the remaining sentence awarded for the commission of offence punishable under Sections 304-A IPC and 279 IPC is maintained.

With the aforesaid modification, the present revision petition stands dismissed.

February 16, 2016

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**(KULDIP SINGH)
JUDGE**