

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

**CRR No.996 of 2016 (O&M)
Date of Decision: March 14, 2016**

Dyal Singh

.... Petitioner

vs.

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Onkar Rai, 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)

Impugned in the present revision petition is the judgment dated 16.02.2016 passed by learned Addl. Sessions Judge (A), Gurdaspur, affirming the judgment of conviction and order of sentence dated 26.08.2014 passed by learned Judicial Magistrate 1st Class, Batala, whereby the accused-petitioner was convicted for the commission of offence punishable under Section 304-A IPC and sentenced to undergo rigorous imprisonment for nine months and to pay a fine of ₹1,000/-, in default thereof to further undergo rigorous imprisonment for one month.

I have heard learned counsel for the petitioner and have also carefully gone through the case file.

A perusal of the judgments of both the courts below shows that the accused-petitioner while driving the bus bearing registration No.PB-06-E-9828 hit motorcycle bearing registration No.PB-18-K-0383 from back side. As a result of which, three

persons, namely, Som Nath, Dharminder and Amarjit Kaur received injuries, whereas Sukhwinder Kaur @ Neha daughter of the complainant died on the way to the hospital. Before the lower court, eye witnesses supported the prosecution version. On appreciation of the evidence, though the accused-petitioner was acquitted of the charges punishable under Sections 337 and 338 IPC for want of medical evidence but he was held guilty for the commission of offence punishable under Section 304-A IPC and sentenced as aforesaid.

The judgment of both the courts below are based on sound reasoning. So far as the sentence awarded under Section 304-A IPC is concerned, the same is already on the lighter side. Therefore, there is no ground to interfere in the impugned judgments passed by both the courts below.

Accordingly, the present revision petition stands dismissed.

March 14, 2016
sarita

(KULDIP SINGH)
JUDGE