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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 3012 of 2009 (O/M)

Date of decision : 18.9.2017

Akhtar Hussain

..... Revisionist

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Ravi Malik, Advocate, for,
Mr. S.K. Panwar, Advocate, for revisionist.

Mr. R.K. Makkad, DAG Haryana.

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)

Heard.

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

Vide judgment of conviction and order of sentence dated 1.5.2008, the learned Sub Divisional Judicial Magistrate, Mobile Court at Punhana, convicted the revisionist under Sections 279 and 304-A IPC and sentenced him to undergo rigorous imprisonment for six months under Section 279 IPC and rigorous imprisonment for one year and to pay a fine of Rs. 500/- under Section 304-A IPC. Both the sentences were directed to run concurrently. The appeal against the same was dismissed by the learned Additional Sessions Judge, Fast Track Court, Nuh, vide judgment dated 19.10.2009.

Custody certificate filed in Court today and same is taken on record.

CRR No. 3012 of 2009 (O/M)

The learned proxy counsel appearing for the learned counsel for revisionist prays for showing leniency in the sentence and presses revision only on the point of quantum of sentence.

The facts of the case shows that accused while driving a tractor trolley rashly and negligently hit the side of a jeep, as a result of which one person, namely, Tahir, who was riding the jeep, fell down and died. The revisionist did not stop the tractor trolley at the spot. There are no mitigating circumstances to reduce the sentence.

The learned proxy counsel appearing for the learned counsel for revisionist has prayed for reducing the sentence on the ground that revisionist had faced the trial for long i.e. since 2004 and had already undergone total sentence of 3 months and 17 days.

I am of the view that as per the latest survey, approximately 400 people die daily in motor vehicular accidents throughout the country. Therefore, these cases are to be dealt with heavy hands. Therefore, there is no ground to reduce the sentence. Hence, revision is dismissed. The revisionist be re-arrested and committed to jail to undergo remaining part of sentence.

(KULDIP SINGH)
JUDGE

18.9.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No