

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-1208 -2016 (O&M)
Date of decision: 28.07.2017

Vijay Kumar

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: None for the petitioner
Ms.Bhavna Gupta, Deputy Advocate General, Punjab

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)

Again none has appeared on behalf of the petitioner to assist the Court. Therefore, I have considered the case of the petitioner and have heard learned State counsel.

The present revision petition is directed against the judgment 26.2.2016, passed by learned Additional Sessions Judge, Fazilka, affirming the judgment of conviction and order of sentence dated 8.6.2015 passed by learned Judicial Magistrate First Class, Abohar, vide which, the present petitioner was convicted for commission of an offence punishable under Section 304-A IPC and sentenced to undergo Rigorous Imprisonment for one year along with fine of Rs.5,000/-, in default of payment of fine, to further undergo Rigorous Imprisonment for one month.

The facts of the case reveal that on 13.11.2011, the deceased Ami Lal was going on bicycle and was being followed by Rakesh Kumar on another bicycle. The accused while driving Indica car bearing registration

no. MH-01Y-2834 struck against the cycle of Ami Lal, due to which, Ami Lal received multiple injuries. He was removed to a nearby Civil Hospital, Ganganagar, where he succumbed to the injuries. Perusal of the judgments of both the Courts below shows that both the Courts below have dealt in detail about the question regarding identification of the car and the identity of the accused. The car was found at the spot. The complainant and the accused belong to the same village. Since, the complainant was previously known to the accused, therefore, lower Court took the view that identification parade was not required,. There is no illegality or infirmity in the findings recorded by both the Courts below.

Consequently, the present petition stands dismissed.

28.07.2017*gk***(Kuldip Singh)
Judge**

Whether speaking/ reasoned:	Yes
Whether Reportable:	No