

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

CRR-1796-2016 (O&M)

Date of Decision: 18.08.2017

SURESH KUMAR

...Petitioner

VS.

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH.

Present: Mr. B.S. Aulakh, Legal Aid Counsel.

 Mr. Arpinder Singh Sidhu, DAG, Punjab.

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?*

KULDIP SINGH, J. (ORAL)

Custody Certificate dated 22.02.2017 in respect of the present petitioner has been filed in the Court today. The same is taken on record. The perusal of the said custody certificate shows that the petitioner had already been released on completion of the sentence.

Heard.

It comes out that on 27.05.2010, the petitioner while reversing his car, bearing registration No. PB-13-T-2727, from motor garage at a high speed, hit a motorcycle, bearing registration No. PB-44-B-2269, being driven by Gurbax Singh on which Amrik Singh was a pillion rider. As a result of the accident, motorcycle got damaged and Amrik Singh received injury on the head and was ultimately referred to the Medicity Hospital, Ludhiana. Complainant-Gurbax Singh also received injuries.

I am of the view that when the petitioner was reversing his car from motor garage to approach on the road, it is his duty to see whether the road is clear or not, but he did not care about the traffic on the road and reversed the car which itself amount to rash and negligent act on his part

irrespective of the speed of the car being driven by him. It also comes out that before the trial Court, both the injured Gurbax Singh and Amrik Singh have supported the prosecution case.

It being so there is no infirmity and illegality in the order passed by the both the Courts below. Accordingly, the appeal is dismissed.

August 18, 2017
Suresh Kumar

[KULDIP SINGH]
JUDGE

		✓	
<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	<i>/ No</i>
			✓
<i>Whether Reportable</i>	:	<i>Yes</i>	<i>/ No</i>