

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

CRR-3669-2014 (O&M)

Date of Decision: 17.08.2017

DHARAMPAL

...Petitioner

VS.

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH.

Present: Mr. Sauarav Verma, Advocate,
 for the petitioner.

 Mr. C.L. Pawar, Sr. DAG, Punjab.

 Mr. Bhanu Pratap Singh, Advocate,
 for the complainant.

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)

The present revision petition has been filed against the judgment dated 22.08.2014, passed by the learned Additional Sessions Judge, Hoshiarpur, affirming the judgment of conviction and order of sentence dated 31.10.2012 passed by the learned Sub Divisional Judicial Magistrate, Dasuya, vide which petitioner was convicted under Sections 279 and 304-A of the Indian Penal Code (IPC) and to undergo the following sentence: -

Under Section 279 IPC:

To undergo rigorous imprisonment for a period of three months.

Under Section 304-A IPC:

To undergo rigorous imprisonment for a period of one year and to pay a fine of ₹ 1,000/- and in default of payment of fine, further rigorous imprisonment for a period of one month.

However, both the substantive sentences were ordered to run concurrently.

Learned counsel for the petitioner presses the present petition only on the point of quantum of sentence awarded to the petitioner.

Heard on the point of quantum of sentence awarded to the petitioner.

Learned counsel for the petitioner has contended that the petitioner is a poor person.

The perusal of the file shows that as a result of rash and negligent driving of a mini-bus, one Surjit Singh, aged about 22 years who was working as Patwari, lost his life. Learned counsel for the respondent No. 2-complainant has stated that deceased-Surjit Singh was to marry after 20 days.

It being so, I do not find any mitigating circumstances to reduce the sentence of the petitioner to less than one year.

In view of the above, the petition is dismissed and accordingly, the petitioner be rearrested to undergo the remaining part of the sentence.

August 17, 2017

Suresh Kumar

**(KULDIP SINGH)
JUDGE**

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