

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

**CRR No.3631 of 2016 (O&M)
Date of decision : September 06, 2017**

Kamaljit Singh

..... Petitioner

Versus

State of UT Chandigarh

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Jaswinder Singh Grewal, Advocate for the petitioner.

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)

CRM-31419-2016

There is delay of 15 days in filing the present revision petition.

For the reasons mentioned in the application, delay of 15 days in filing the present revision petition is condoned, subject to all just exception.

Application stands disposed of.

Main Case

Heard.

The petitioner was convicted and sentenced by the learned Chief Judicial Magistrate, Chandigarh, vide judgment of conviction and order of sentence dated 25.03.2016, on his admission of guilt for the commission of offence punishable under Section 185 of the Motor Vehicle Act, 1988 and sentenced to undergo simple imprisonment for one month and to pay a fine of ₹2,000/-, in default of payment of fine, to further undergo simple imprisonment for 10 days. He was also sentenced for the

commission of offence punishable under Section 20(2) of the Motor Vehicle

Act, 1988, under which he was disqualified from holding any driving licence of any class of vehicle for six months. His driving licence was taken in to possession and it was to be returned after expiry of six month's period. In appeal, the learned Addl. Sessions Judge, Chandigarh, vide judgment dated 03.06.2016, while upholding the conviction, modified the sentence of the petitioner and reduced it to the period already undergone by him.

I am of the view that the first appellate court has already taken a lenient view by reducing the sentence of simple imprisonment for one month awarded to the petitioner to the period already undergone by him. Since the petitioner pleaded guilty, he is precluded from challenging his conviction in appeal or in the present revision petition. The judgment passed by learned Addl. Sessions Judge, modifying the order of sentence passed by the learned Chief Judicial Magistrate, Chandigarh, do not call for any interference.

As such, the present revision petition is dismissed.

(KULDIP SINGH)
JUDGE

September 06, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No