

214 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No.3790 of 2016 (O&M)
Date of decision : July 03, 2017

Mahesh Kumar Petitioner

Versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. J.S. Hooda, Advocate for the petitioner.
Mr. D.R. Singla, Deputy Advocate General, 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 ?

KULDIP SINGH J. (ORAL)

The present revisionist was convicted vide judgment of conviction and order of sentence dated 30.03.2016 passed by the learned Judicial Magistrate 1st Class, Palwal, for the commission of offence punishable under Sections 279, 337, 338 and 304 A IPC and sentenced as under:

Sr. No.	Under Sections	Sentence	Fine	In default of payment of fine
1	279 IPC	R.I. for 6 months	₹1,000/-	R.I. for 1 month
2	337 IPC	R.I. for 6 months	₹500/-	R.I. for 1 month
3	338 IPC	R.I. for 2 years	₹1,000/-	R.I. for 2 months
4	304-A IPC	R.I. for 2 years	₹2,000/-	R.I. for 3 months

All the aforesaid sentences were ordered to run concurrently.

The appeal against the said judgment was dismissed by the learned Sessions Judge, Palwal, vide judgment dated 16.09.2016.

Custody certificate of the revisionist filed in the Court today is taken on record. It shows that the revisionist has undergone actual sentence of one year, one month and four days and with remission he has undergone one year two months and 22 days.

Learned counsel for the revisionist pressed the revision only qua quantum of sentence.

The allegations against the accused-revisionist are that while he was driving tanker bearing registration No.HR66-0242 near Ambino Banquet Hall on National Highway No.2, Palwal ran over a marriage procession. As a result of which three persons died at the spot.

After considering the facts and circumstances of the case and the fact that as a result of the rash and negligent driving of the accused-revisionist, three persons lost their lives, I am of the view that no reduction in the sentence is possible.

As such, the present petition is dismissed.

(KULDIP SINGH)
JUDGE

July 03, 2017

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Whether speaking / reasoned Yes

Whether Reportable: No