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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 4077 of 2016 (O/M)
Date of decision : 4.7.2017

Mithlesh

..... Revisionist

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Susheel Gautam, Advocate, for revisionist.
Mr. R.K. Makkad, DAG 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 ?

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KULDIP SINGH J. (ORAL)

This is revision against the judgment dated 21.9.2016, passed by the learned Sessions Judge, Sonapat, vide which the judgment of conviction dated 17.11.2015 and order of sentence dated 18.11.2015, passed by the learned Judicial Magistrate 1st Class, Sonapat, was affirmed with a modification in the sentence, whereby the sentence awarded under Section 304-A IPC was reduced from simple imprisonment for two years to simple imprisonment for one year, while maintaining the fine of Rs. 9,000/-, and the sentence under Section 279 IPC was reduced from simple imprisonment for three months to simple imprisonment for one month, whereas fine of Rs. 1,000/- was maintained.

I have heard the learned counsels for both the parties.

The short prayer made at his stage is reduction in the sentence. Custody certificate filed in Court and the same is taken on record, which shows that the revisionist has undergone the actual sentence of 9 months and 13 days and with remission is 9 months and 28 days (as on 3.7.2017).

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The learned counsel for revisionist has argued that revisionist is first offender and he has been sufficiently punished. Therefore, his sentence be reduced to the period already undergone by him.

Keeping in view the fact that as a result of rash an negligent driving of vehicle by revisionist, one child lost his life. I am of the view that the learned Sessions Judge, Sonapat, has already shown leniency. No further leniency is possible. Hence, the present revision is dismissed.

(KULDIP SINGH)
JUDGE

4.7.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No