

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-4369 -2016 (O&M)
Date of decision: 06.07.2017

Nitish Kapur

.....Petitioner

versus

UT Chandigarh

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Ms.Saloni Sharma, Advocate for the petitioner

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

The present petitioner was convicted by learned Chief Judicial Magistrate, Chandigarh vide judgment of conviction and order of sentence dated 25.3.2016 passed under Section 185 of the Motor Vehicle Act for drink and driving and was sentenced to undergo Simple Imprisonment for one month and fine of Rs.2000/-, in default of payment of fine, he was to further undergo Simple Imprisonment for ten days. He was also disqualified from holding driving licence of any class for six months. In appeal against the conviction, learned Additional Sessions Judge, Chandigarh vide judgment dated 4.8.2016 reduced the sentence to the period already undergone by him.

I have heard learned counsel for the petitioner and have also carefully perused the record.

Learned counsel for the petitioner has argued that the

petitioner is to go to abroad and in case conviction stands it will affect his future prospects.

I am of the view that the petitioner was caught drinking and driving. There is no illegality or infirmity in the conviction recorded by the trial Court.

The appellate Court has already taken a lenient view by reducing the sentence to the period already spent in jail by him i.e. 3 days. Therefore, the conviction of the present petitioner cannot be set aside merely on the ground that he wants to go abroad.

Resultantly the present revision petition stands dismissed.

06.07.2017

gk

**(Kuldip Singh)
Judge**

Whether speaking/ reasoned:	Yes
Whether Reportable:	No