

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

**CRR No.1753 of 2017 (O&M)
Date of decision : July 05, 2017**

Nafe Singh **Petitioner**

Versus

State of Haryana **Respondent**

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Ashish Grewal, Advocate for
Mr. Sanjeev Kr. Panwar, 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)

The present revision petition is filed against the judgment dated 08.02.2017 passed by the learned Addl. Sessions Judge, Palwal, affirming the judgment of conviction of and order of sentence dated 12.02.2016 passed by learned Judicial Magistrate 1st Class, Palwal, whereby the present revisionist was convicted and sentenced as under:

<i>Sr. No.</i>	<i>Offence u/s</i>	<i>Sentence</i>	<i>Fine</i>	<i>In default of payment of fine</i>
1	279 IPC	R.I. for three months	₹500/-	R.I. for 10 days
2	304-A IPC	R.I. for one year	₹1,000/-	R.I. for 20 days

Both the sentences were ordered to run concurrently.

Brief facts of the case are that on 25.09.2010 at about 4.30 p.m., accused-revisionist while driving motorcycle bearing registration No.HR-51U-7861, rashly and negligently hit one Vishal, who was standing outside the house. As a result of the accident, Vishal died and the accused-revisionist fled from the spot along with his motorcycle. The accused-revisionist was named in the FIR.

A perusal of the judgments of both the Courts below shows that both the courts below have come to the conclusion that the offence of the accused-revisionist is proved. The complainant has also supported his case. There is no illegality or infirmity in the findings recorded by both the courts below. The accused-revisionist was identified at the spot.

Faced with these circumstances, learned counsel for the revisionist has prayed for leniency in the sentence, stating that the revisionist has already undergone more than five months.

I am of the view that the life of the deceased, who was minor was cut short due to negligent act of the accused-revisionist. The sentence of one year cannot be called excessive or harsh. Thus, there is no merit in the present revision petition.

Therefore, the present revision petition is dismissed.

(KULDIP SINGH)
JUDGE

July 05, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No