

110 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No.1908 of 2017 (O&M)
Date of decision : August 18, 2017

Mohender Pal Petitioner

Versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Hakam Singh, 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 has been filed against the judgment dated 09.03.2017 passed by learned Sessions Judge, Kurukshetra, affirming the judgment of conviction dated 05.04.2016 and order of sentence dated 06.04.2016, vide which the present petitioner was convicted and sentenced as under:

Sr. No.	Offence	Imprisonment	Fine	Imprisonment in deafult of payment of fine
1	279 IPC	S.I. for 4 months	₹200/-	S.I. for 10 days
2	304-A IPC	S.I. for 1 year	₹300/-	S.I. for 20 days

Both the sentences were ordered to run concurrently.

Heard.

In this case, the accident is alleged to have taken place on the narrow bridge. The present petitioner was driving a canter bearing registration No.RJ-13GA-0173 and hit the motorcycle bearing registration No.HR-32C-2334 being driven by one Jai Singh (now deceased) from behind and thereafter, ran over the body of Jai Singh and the motorcycle struck in the rear tyre of the canter. The present petitioner after leaving the canter at the spot ran away.

The identity of the canter involved in the said accident is established. The accident took place on the narrow bridge, where the canter was supposed to be driven carefully and at slow speed. The canter did not only hit the motorcycle from behind but also ran over the body of the deceased and motorcycle and the motorcycle struck in the rear tyre of the canter. It goes to show that the canter was not driven at slow speed. There are concurrent findings of two courts below. There is no ground to interfere in the well reasoned judgments passed by both the courts below.

Learned counsel for the petitioner prays for showing leniency in the sentence awarded to the petitioner.

In this case, one person lost his life, for which the sentence of one year simple imprisonment cannot be called excessive.

As such, the present revision petition is dismissed.

(KULDIP SINGH)
JUDGE

August 18, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No