

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

**CRR 2090-2017 (O&M)
Date of decision: 30.10.2017**

Navjot Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldeep Singh

Present: Mr.Arinder Singh, Advocate for
Mr.Kuldeep Singh Saini, Advocate for the petitioner
Ms.Monika Jalota, DAG Punjab

- 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?*

Kuldeep Singh, J. (Oral)

Impugned in the present revision is the judgment dated 16.5.2017 passed by learned Sessions Judge, Rupnagar, affirming that of learned Additional Chief Judicial Magistrate, Rupnagar dated 23.2.2017, vide which, the petitioner was convicted under Sections 279, 337 and 304-A IPC and sentenced as under:-

279 IPC	<i>To undergo RI for a period of six months and to pay fine of Rs.500/-. In default of payment of fine to further undergo RI for one month</i>
304-A IPC	<i>To undergo RI for a period of one year and to pay fine of Rs.500/-. In default of payment of fine to further undergo RI for one month</i>
337 IPC	<i>To undergo RI for a period of six months and to pay fine of Rs.500/-. In default of payment of fine to further undergo RI for one month</i>

All the sentences were directed to run concurrently.

Heard.

Lower Court record summoned and perused.

Perusal of the record shows that on 11.6.2011, the complainant Puneet Gautam was driving Honda Activa scooter on which his mother Parveen Lata was riding pillion. At about 1.30 PM, when the Activa scooter stopped at red signal, a truck bearing registration no.PB-08-G-8344 being driven by the present petitioner came from behind and hit the activa scooter. As a result of which, both Puneet Gautam and Parveen Lata fell down from the scooter and received injury. Then both were removed to Civil Hospital, from where, Parveen Lata was referred to PGI, where she succumbed to injuries. Perusal of the record shows that it is an open and shut case. The accused fled away from the spot after leaving the truck at the spot. Activa scooter was stopped at red lights. The truck which was driven by the petitioner was also to be stopped at red signal and was supposed to be at slow speed and also supposed to keep distance from the vehicle ahead of it. However, the truck hits the activa scooter from behind which shows that the driver was driving the truck in a rash and negligent manner. In place of attending injureds, he fled away from the spot and left behind the injureds.

In these circumstances, the statement of Puneet Gautam complainant as well as eye witness, namely, Ankush Shukla (PW2) was rightly believed by the lower Court. There is no ground to interfere in the concurrent findings of both the Courts below.

Resultantly, the present revision petition stands dismissed.

30.10.2017

gk

**(Kuldip Singh)
Judge**

Whether speaking/ reasoned:

Yes

Whether Reportable:

No