

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 2288 of 2017 (O/M)
Date of decision : 6.7.2017

Chain Sharma Revisionist
Versus
State of U.T. Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. F.S. Virk, Advocate, for the revisionist.

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 2.6.2017, passed by the learned Sessions Judge, Chandigarh, affirming that of the learned Judicial Magistrate, Chandigarh, dated 9.12.2015, vide which present revisionist was convicted under Sections 279, 337 and 304-A IPC and was sentenced as under :-

<u>Offence</u>	<u>Sentence</u>	<u>Fine</u>
279 IPC	---	Rs. 500/-
337 IPC	S.I. for six months	---
304-A- IPC	S.I. for one year	---

All the sentences were directed to run concurrently. The accused was directed to pay compensation to the sum of Rs. 2,000/- to the complainant/victim.

I have heard the learned counsel for revisionist and have also carefully gone through the file.

The perusal of the judgments of both the Courts below show that on 13.11.2012, at about 1:30 AM, Ajay Kumar alongwith his wife and children was driving Esteem car bearing registration No. CH03-S-2688. On

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the light points of colony No. 5 i.e. on the traffic lights of Sector-44/45, a private bus bearing registration No. HP-01-3544, being driven by accused, came from Sector-43 bus stand and hit the car and dragged it to some distance. As a result of the accident, wife of Ajay Kumar died. The PCR reached at the spot and apprehended accused at the spot.

The learned counsel for revisionist has argued that in this case, there is a slope of 45 degree, due to which the accident had taken place.

I am of the view that there is a little slope/bump on the said traffic lights, but the seat of the driver in the bus is at a height from where he can easily see everything. The fact that the bus hit the car and dragged it to some distance goes to show that in the city, it was driven at a high speed and not at a controllable speed.

Faced with this situation, the learned counsel for revisionist has prayed for showing leniency in the matter of sentence.

I am of the view that the learned Sessions Judge, Chandigarh, has already observed that the case of death in motor vehicle accidents is on the rise and this is leading to loss of life of human beings. This tendency is to be curbed with heavy hands. Therefore, there is no ground to show any leniency. Hence, the present revision is dismissed.

(KULDIP SINGH)
JUDGE

6.7.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No