

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

**CRR No.262 of 2017 (O&M)  
Date of Decision: October 09, 2017**

Biri Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr.Munish Puri, Advocate  
for the petitioner.

Mr.Ayush Sarna, Asstt. Advocate General, Punjab  
for the respondent-State.

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**INDERJIT SINGH, J.**

The present revision petition has been filed by the petitioner Biri Singh against respondent State of Punjab, challenging the impugned judgment of conviction and order of sentence dated 09.06.2016 passed by learned Chief Judicial Magistrate, Pathankot, vide which the petitioner was convicted and sentenced to undergo rigorous imprisonment for a period of two years and to pay fine of ₹5000/- and in default of payment of fine to undergo rigorous imprisonment for a period of three months under Section 304-A IPC and further to undergo rigorous imprisonment for a period of six months under Section 279 IPC and also challenging the judgment dated 17.11.2016 passed by learned Addl. Sessions Judge, Pathankot, vide which appeal filed by the petitioner was dismissed. Both the sentences were

ordered to run concurrently.

At the time of preliminary hearing, the conviction of the petitioner was upheld vide detailed order dated 02.03.2017 passed by this Court and notice of motion was issued only qua quantum of sentence.

Learned State counsel appeared and contested the petition.

At the time of arguments, learned counsel for the petitioner contended that the petitioner is first offender, only bread earner of the family and he is suffering from the criminal proceedings since 2011.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

Keeping in view the facts and circumstances of the present case and in view of the fact that petitioner is stated to be first offender, only bread earner of the family and facing criminal proceedings since 2011 i.e. for the last about 6 years, the sentence imposed upon the petitioner is reduced and he is directed to undergo rigorous imprisonment for a period of one year and three months instead of two years under Section 304-A IPC. However, other sentence, sentence of fine and in default thereof shall remain the same. Both the sentences shall run concurrently.

With the above-said modification in the sentence, the present revision petition stands dismissed.

**October 09, 2017**  
Vgulati

**(INDERJIT SINGH)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

**Yes**  
**No**