

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 3272 of 2017 (O/M)
Date of decision : 13.9.2017

Kulwant Singh

..... Revisionist

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. R.S. Sekhon, Advocate, for 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)

Present revision is against judgment dated 5.9.2017, passed by the learned Sessions Judge, Sri Muktsar Sahib, affirming the judgment of conviction and order of sentence dated 6.3.2017, passed by the learned Judicial Magistrate 1st Class, Gidderbaha, vide which revisionist was convicted under Sections 279, 304-A IPC and was sentenced as under :-

<u>Sections</u>	<u>Imprisonment RI</u>	<u>Fine</u>	<u>In default of payment of fine</u>
304-A	One year	Rs. 1000/-	14 days
279	3 months		

Both the sentences were directed to run concurrently.

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

The allegations against revisionist are that he was driving a bus from Sri Muktsar Sahib to Malout rashly and negligently. On 9.6.2015, at about 11:30 AM when the bus reached one kilometer ahead of Baba Bhunder towards Malout, revisionist tried to overtake a vehicle rashly and negligently, on account of which the bus overturned, as a result

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of which, Piara Singh, uncle of complainant, fell down from the bus and was crushed under the same bus. The other passengers also sustained injuries. The driver of bus alongwith conductor ran away from the spot without caring to help the injured. The perusal of judgments of both the Courts below shows that consistent evidence has been led that revisionist was driving the bus rashly and negligently. Revisionist does not explain as to how the bus overturned. In the normal course, if a bus is driven in a proper manner, it will not overturn. The bus was being driven rashly and negligently by revisionist and, therefore, it overturned. The identity of revisionist was also established. Keeping in view the fact that one person died as a result of rash and negligent driving by revisionist and in place of caring the injured, the driver and conductor ran away from the spot, there is no ground to reduce the sentence also. Hence, revision is dismissed.

(KULDIP SINGH)
JUDGE

13.9.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No