

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

**CRR No.329 of 2017 (O&M)
Date of Decision: May 30, 2017**

Mahavir Parshad

...Petitioner

VERSUS

State of Punjab and another

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.H.P.S.Ghuman, Advocate
for the petitioner.

Mr.K.S.Aulakh, Asstt. Advocate General, Punjab
for the respondent-State.

INDERJIT SINGH, J.

The present revision has been filed by the petitioner Mahavir Singh against respondents State of Punjab and Raj Singh @ Nikka, challenging the impugned judgment of conviction and order of sentence dated 31.07.2014 passed by learned Judicial Magistrate Ist Class, Nabha, vide which the petitioner was convicted under Sections 279, 338 and 304-A IPC and sentenced to undergo rigorous imprisonment for a maximum period of two years under Section 304-A IPC along with fine and also challenging the judgment dated 10.01.2017 passed by learned Addl. Sessions Judge, Patiala, vide which appeal filed by petitioner was dismissed. All the sentences were ordered to run concurrently.

At the time of preliminary hearing, the conviction of the

petitioner was upheld vide detailed order dated 19.04.2017 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 2012.

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 2012 i.e. for the last about 5 years, the sentence imposed upon the petitioner is reduced and he is directed to undergo rigorous imprisonment for a period of one year instead of two years under Section 304-A IPC. However, other sentence, sentence of fine and in default thereof shall remain the same.

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

May 30, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No