

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

**CRR No.358 of 2017 (O&M)
Date of Decision: May 26, 2017**

Balwinder Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.J.S.Bhinder, 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 Balwinder Singh against respondent State of Punjab, challenging the impugned judgment of conviction and order of sentence dated 25.07.2016 passed by learned Addl. Chief Judicial Magistrate, Patiala, vide which the petitioner was convicted and sentenced to undergo rigorous imprisonment for a period of two years and to pay fine of ₹500/- and in default of payment of fine, to undergo simple imprisonment for a period of seven days under Section 304-A IPC and also challenging the judgment dated 09.11.2016 passed by learned Addl. Sessions Judge, Patiala, vide which appeal filed by petitioner was dismissed.

At the time of preliminary hearing, the conviction of the

petitioner was upheld vide detailed order dated 05.04.2017 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 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 instead of two years under Section 304-A IPC. However, 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 26, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No