

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

CRR No. 669 of 2017 (O&M)

Date of Decision: 18.09.2017

SURAJ BHAN

... Petitioner

VS.

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Ravinder Phogat, Advocate,
for the petitioner.

Mr. R.K. Makkad, DAG, Haryana.

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?*

KULDIP SINGH, J. (Oral)

Impugned in the present revision is the judgement dated 19.12.2016 passed by the learned Additional Sessions Judge, Sonipat affirming the judgment of conviction dated 10.09.2013 and order of sentence dated 12.09.2103 passed by the learned Judicial Magistrate Ist Class, Sonipat vide which the petitioner was convicted under Sections 279, 337 and 304-A of the Indian Penal Code and sentenced to undergo simple imprisonment for three months under Section 279 IPC, for three months under Section 337 IPC one year and six months under Section 304-A. However all the sentences were directed to run concurrently.

Learned counsel for the petitioner presses the present revision only on the point of quantum of sentence.

In this case due to rash and negligent driving of a car bearing registration No. HR-99-JK-5578 being driven by the accused-petitioner, one Narender lost his life.

Custody Certificate dated 16.09.2017/18.09.2017 shows that the petitioner has undergone total sentence of 9 months and 28 days including

remissions. It is further stated that the petitioner is not a previous convict and no other criminal case is pending or decided against him.

Taking into consideration the totality of the circumstances, the sentence of rigorous imprisonment of one year and six months under Section 304-A awarded to the petitioner is ordered to be reduced to the sentence of rigorous imprisonment of one year under the said section while maintaining the other part of the sentence awarded to the petitioner.

With this modification in the quantum of sentence of the petitioner as indicated herein above, the present revision petition stands dismissed.

September 18, 2017
Suresh Kumar

[KULDIP SINGH]
JUDGE

<i>Whether speaking / reasoned</i>	:	✓ Yes	/	No ✓
<i>Whether Reportable</i>	:	Yes	/	No