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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-757-2017 (O&M)

Date of Decision: 13.07.2017

Rajinder Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

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

Present: Mr. P.S. Mirpur, Advocate,
for the petitioner.

Mr. Davinderbir Singh, D.A.G., Punjab.

KULDIP SINGH, J.(Oral)

The petitioner was convicted by the Additional Chief Judicial Magistrate, Patiala, vide judgment of conviction and order of sentence dated 10.05.2016, under Sections 279 and 304-A I.P.C. and was sentenced to undergo rigorous imprisonment for six months with fine of ₹ 500/- (Rupees Five Hundred Only) and in default thereof, to further undergo simple imprisonment for seven days under Section 279 I.P.C. and to undergo rigorous imprisonment for one year with fine of ₹ 1,000/- (Rupees One Thousand Only) and in default thereof, to further undergo simple imprisonment for fifteen days under Section 304-A I.P.C.

The appeal against the said judgment was dismissed by the Additional Sessions Judge, Patiala, vide judgment dated 03.01.2017. Before

this Court, as reflected in the order dated 02.03.2017, the revision was pressed on the quantum of sentence only.

Today, custody certificate of the petitioner has been filed in the Court and the same is taken on record. It shows that the petitioner has already undergone actual sentence (including remissions) of six months and seventeen days till date, in the present case.

As a result of rash and negligent driving by the petitioner, one person lost his life, therefore, the sentence of imprisonment of one year cannot be called excessive or harsh. Therefore, there is no scope for reduction in the sentence.

Both the abovesaid sentences of imprisonment are not directed to run concurrently by the Courts below, therefore, now both the sentences of imprisonment are directed to run concurrently.

In view of above, the revision is dismissed with the abovenoted modification.

13.07.2017*Apurva***(KULDIP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No