

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

CRR-4313-2017 (O&M)

Date of Decision:- 15.12.2018

Sanjeev Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mandeep Kaushik, Advocate, for the petitioner.

Mr. A.S.Sandhu, Addl. A.G. Punjab.

GURVINDER SINGH GILL, J. (Oral)

Today at the very outset learned counsel for the petitioner has submitted that he restricts his submission to reduction in the quantum of sentence only and does not assail the conviction.

I have heard the learned counsel for the petitioner and also the learned State counsel and have also gone through impugned judgment dated 18.7.2017 passed by learned Additional Sessions Judge, Ludhiana, upholding conviction of petitioner for offences under Sections 279 and 304-A of IPC.

Having perused the judgment, I do not find any infirmity in the findings as regards the conviction of the petitioner and the same are hereby affirmed.

Learned State counsel has today filed custody certificate indicating that the petitioner as on date has undergone 1 year, 9 months and 1 day, out of the imposed maximum sentence of 2 years. Petitioner is not stated to be a previous convict.

Bearing in mind the period of imprisonment already undergone and also that the petitioner is not stated to be a previous convict, in my opinion, there is room for reduction of sentence. Consequently, the sentence, as imposed upon the petitioner by trial Court and as affirmed by the Court of learned Additional Sessions Judge, Ludhiana is reduced from 2 years for offence under Section 304-A of IPC, to the one already undergone. The sentence for offence under Section 279 IPC and the fine shall, however, remain the same.

The petition, as such, is partly accepted to the extent indicated above regarding reduction in quantum of sentence only.

December 15, 2018
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No