

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
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**CRR-1347-2018 &
CRM-13401-2018**

Date of decision:31.05.2018

Amarjeet

...PETITIONER

Vs.

State of Haryana

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Sumit Gupta, Advocate,
for the petitioner.

Mr. Sharad Yadav, DAG, Haryana,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

This revision is directed against the judgment dated 10.04.2018 passed by the Additional Sessions Judge, Jhajjar affirming the judgment of conviction and order of sentence dated 13.12.2016 and 16.12.2016 respectively of Judicial Magistrate Ist Class, Jhajjar, whereby the petitioner was convicted and sentenced as under:-

Offence	Sentence	Fine	In default
279 IPC	Imprisonment for 3 months	₹500/-	SI for 20 days
337 IPC	Imprisonment for 3 months	₹500/-	SI for 20 days
Both the sentences were ordered to run concurrently.			

Learned counsel for the petitioner does not press the case on merits but only on the question of quantum of sentence, however, he prays that the sentence may be reduced for the reason that the injuries, which are said to have been received by the complainant, were not serious and the same were in an accident. He, therefore, prays that the sentence of the petitioner may be reduced.

Counsel for the State, on the other hand, contends that the petitioner has, because of his rash and negligent driving, not only caused the accident damaging the vehicle of the complainant but has also resulted in injuries upon the complainant and her husband as well as her son Nikhil, Sailesh Kumar and Bala Devi. He, therefore, submits that the sentence, as has been awarded by the Courts below, be not reduced.

Having considered the submissions made by the counsel for the parties and on going through the judgments passed by the Courts below especially in the light of the fact that the counsel for the petitioner has not pressed the petition on merits, this Court is of the view that the sentence of the petitioner be reduced to two months from three months maintaining the order of fine.

With the above modification in the sentence, the present petition is partly allowed.

CRM-13401-2018

In view of the disposal of the main appeal, this application has been rendered infructuous and is disposed of as such.

May 31, 2018*pj***(AUGUSTINE GEORGE MASIH)
JUDGE****Whether speaking/reasoned: Yes/No****Whether Reportable: Yes/No**