

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

275

CRR-316-2018

Date of Decision: July 11, 2018

Rattan Singh

.....Petitioner(s)

versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Rajesh Lamba, Advocate
for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

Sudhir Mittal, J. (Oral)

The petitioner is accused of injuring a minor girl in a road accident.

Maximum sentence imposed upon the petitioner is six months under section 338 IPC.

2. Notice of motion was issued only regarding the quantum of sentence.

3. Custody certificate, dated 10.07.2018, issued by DSP Ram Chander, Deputy Superintendent, District prison (Gurugram) Haryana, has been filed in Court today and the same is taken on record. According to this certificate, the petitioner has undergone actual custody of four months and six days inclusive of remission.

4. Considering the fact that the petitioner is a first offender and there is

no other case pending against him as well as the fact that the injured minor

received simple injuries only, I deem it appropriate to take lenient view against the petitioner regarding quantum of sentence.

5. Accordingly, the Judgment of Conviction dated 04.06.2015, passed by Judicial Magistrate Ist Class, Gurugram and as upheld by Additional Sessions Judge, Gurugram, vide judgment dated 30.11.2017, is affirmed, however, the petitioner is sentenced to the period already undergone by him. With this modification in the order of sentence, instant revision petition is dismissed. Copy of this judgment be sent to the Convicting Court for compliance.

July 11, 2018
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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No