

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR No.716 of 2019 (O&M)
DATE OF DECISION:-20.03.2019

MANDEEP SINGH

...PETITIONER...

V.

STATE OF PUNJAB

...RESPONDENT...

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Maninder Singh Gill, Advocate for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Through this revision, accused has laid challenge to judgment dated 07.03.2019, of learned Sessions Judge, SAS Nagar (Mohali), affirming the judgment of conviction and order of sentence dated 26.11.2018 of learned Judicial Magistrate Ist Class, Kharar, whereby, he was held guilty under Sections 279 and 338 IPC and sentenced to undergo simple imprisonment for 6 months each and to pay fine of ₹500/- under each offence. In default of payment of fine, to further undergo simple imprisonment for 7 days each. Both the sentence were ordered to run concurrently.

In nutshell, petitioner was booked, tried, held guilty and sentenced in the manner as narrated above, on the allegations that on 30.09.2015, when the complainant was returning back on his motorcycle from Landran to his village Sarkapda and reached near T-point Landran, offending Taxi bearing registration No.PB-01A-5097, driven by petitioner

rashly, negligently and also on high speed coming from the opposite side, hit his motorcycle. As a result thereof, complainant suffered fracture on his right leg, besides multiple injuries on his right arm and head. His motorcycle was also substantially damaged. The petitioner and complainant after making arrangement of three wheeler, reached Eye Hospital, Sohana.

Being aggrieved, the petitioner approached the first appellate court, but remained unsuccessful, as his appeal too was, dismissed vide judgment dated 07.03.2019.

Learned counsel contends that he does not challenge the petition on merit, but prays for some leniency in the matter of sentence.

Considering the conduct of the petitioner of being a gentleman and responsible person that he accompanied the complainant to Hospital; that he has already faced protracted trial for around 3 years and that fine has already been paid by him, order of his sentence dated 26.11.2018 is modified and reduced from 6 months to three months.

With the above modification, impugned judgments of conviction passed by the courts below are upheld. The revision, to this extent, is dismissed.

20.03.2019

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(RAMENDRA JAIN)
JUDGE

whether speaking/reasoned:
whether reportable:

Yes/No
Yes/No