

**In the High Court of Punjab and Haryana at Chandigarh**

**213**

**CRR-1023-2008 (O & M)**

**Date of Decision: 25.07.2019**

**KEWAL SINGH**

**.....PETITIONER**

**VERSUS**

**STATE OF PUNJAB**

**....RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

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

Ms. Sudipti Sharma, Addl. AG, Punjab.

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**ANUPINDER SINGH GREWAL, J (ORAL)**

The petitioner has challenged the judgments of the Courts below whereby he has been convicted under Sections 304-A and 279 IPC and sentenced to undergo rigorous imprisonment for a maximum period of 2 years.

Learned counsel for the petitioner contends that he is not challenging the conviction and would confine his prayer in this petition to reduction in the quantum of sentence to the period already undergone. The petitioner is a 'dalit' and sole bread-winner of his family. He is a poor person and has undergone sentence of 07 months and 21 days. The petitioner is facing the agony of protracted criminal proceedings for over 17 years as the incident took place on 24.05.2002. The petitioner is about 60 years old and is not involved in any other case.

Learned State counsel has filed the custody certificate which is taken on record. It indicates that the petitioner has undergone total sentence of 07 months and 21 days out of the total sentence of 2 years.

Heard.

The petitioner had been convicted under Sections 304-A and 279 IPC and sentenced to undergo rigorous imprisonment for a maximum period of 2 years. The petitioner is facing the agony of protracted criminal proceedings for 17 years. The petitioner is 60 years old and is not involved in any other case. He is a poor person and sole bread winner of his family. The petitioner has undergone sentence of 07 months and 21 days.

It would, therefore, be in the interest of justice, if the sentence of the petitioner is reduced to the period already undergone by him.

Consequently, while maintaining the conviction, the sentence of the petitioner is reduced to the period already undergone by him.

With this modification, the petition stands disposed of.

**(ANUPINDER SINGH GREWAL)**  
**JUDGE**

**July 25, 2019**

A.Kaundal

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|----------------------------|---|--------|
| Whether speaking/ reasoned | : | Yes/No |
| Whether Reportable         | : | Yes/No |