

In the High Court of Punjab and Haryana at Chandigarh

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CRR-1458-2008 (O & M)
Date of Decision: 22.07.2019

DARSHAN SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sanjeev Kumar Bawa, Advocate for the petitioner.

Ms. Sudipti Sharma, Addl. AG, Punjab.

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 of the Indian Penal Code ('IPC' - for short) and sentenced to undergo rigorous imprisonment for a period of one year.

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 had undergone 3 months and 04 days. The petitioner is facing the agony of protracted criminal proceedings for over 2 decades as the incident took place on 28.03.1999. He also states that the petitioner was 70 years of age at the time of filing this petition i.e. in the year 2008.

Learned State counsel has filed the custody certificate which is taken on record. It indicates that the petitioner has undergone total sentence of 03 months and 04 days.

Heard.

The petitioner had been convicted under Sections 304-A and 279 IPC and sentenced to undergo rigorous imprisonment for a period of one year. The petitioner is facing the agony of protracted criminal proceedings for over two decades. He was 70 years old in the year 2008 meaning thereby he would be over 80 years of age at present. He is not involved in any other case. The petitioner has undergone sentence of 03 months and 04 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 22, 2019

A.Kaundal

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