

In the High Court of Punjab and Haryana at Chandigarh

212

CRR-875-2008 (O & M)

Date of Decision: 17.07.2019

BALWANT SINGH

....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. P.S. Hundal, Senior Advocate with
Mr. Jagtar Singh, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner has challenged the judgments of the Courts below whereby he has been convicted under Section 304-A IPC 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 4 months and 15 days. The petitioner is facing the agony of protracted criminal proceedings for almost 32 years as the incident took place on 17.07.1987. He also states that the petitioner was 80 years of age in the year 2008 as the same has been recorded in the order of this Court dated 09.05.2008 whereby notice was issued regarding bail. It was also noticed in the order that the petitioner had undergone imprisonment for a period of 04 months and 15 days. After issuance of notice, sentence of the petitioner was suspended by this Court on 29.05.2008.

Heard.

The allegations against the petitioner are that while he was driving a bus on 17.07.1987, it had met with an accident and leading to the death of one Surjit Singh, who was riding a scooter. The petitioner is facing the agony of protracted criminal proceedings for almost 32 years. He was 80 years old in the year 2008 meaning thereby he would be over 90 years of age at present. He has undergone sentence of 4 months and 15 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 17, 2019
A.Kaundal

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