

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

792

CRR No.2543-2009 (O&M)

Date of decision: 06.09.2019

Puran Singh

..... Petitioner

Versus

State of UT, Chandigarh

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- None for the petitioner.

Mr. Rajiv Sharma, APP for UT, Chandigarh.

ANIL KSHETARPAL, J. (ORAL)

Although, counsel for the petitioner in spite of the information given is not available, however, with the able assistance of learned State counsel, this Court has gone through the judgments passed by the Courts below.

The accident in question took place on 02.10.2001. The petitioner was convicted under Sections 279, 304-A and 337 of the Indian Penal Code and sentenced for rigorous imprisonment for a period of 9 months with a fine of Rs.750/-. The petitioner was driving a bus which had hit the scooter in which wife of Ashok Kumar died. On 07.01.2010 after noticing that the petitioner has already undergone actual sentence of 4 months, released on bail. Now this revision petition has come up for hearing after a period of 09 years. As per the custody certificate produced in Court, the petitioner is not involved in any other case. Thus, it is safe to assume that the petitioner is a first time offender.

Keeping in view the aforesaid facts, in the considered view of this Court, it would not be appropriate for this Court to send the petitioner behind the bars once again. The petitioner has already suffered protracted litigation for a period of 18 years. Hence, the sentence awarded to the petitioner is reduced to the period already undergone.

Accordingly, the revision petition is disposed of.

06.09.2019
D.Bansal

(ANIL KSHETARPAL)
JUDGE

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