

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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C.R.R. No.2871-2014 (O&M)
Date of decision : 15.01.2019

Baldev Singh@ Goga

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Parminder Singh, Advocate
for the applicant-petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

AJAY TEWARI, J. (Oral)

The present revision has been filed against the concurrent judgments of the courts below convicting the petitioner in FIR No. 169 dated 2.7.2007 under Sections 279, 304-A, 337 IPC and sentencing him to undergo simple imprisonment of 2 years alongwith payment of fine of Rs.2000/-.

Brief facts of the case are that on 22.7.2007 Rishi Pal-complainant (PW-2) lodged the FIR on the ground that he alongwith his Bhabhi Meeto (since-deceased), Darshni were going to their field. Meanwhile a canter bearing registration No. HR-39-A-6951, driven in a rash and negligent manner came from behind and struck against them from

behind. Resultantly, Meeto succumbed to the injuries, while Rishi Pal was narrow escaped and Darshni sustained minor injuries. The petitioner has been convicted by both the Courts below.

Custody certificate dated 14.1.2019 of Sanjay Bangar, Deputy Superintendent, District Prison (Karnal) has been filed on behalf of the State, the same is taken on record. Copy has been supplied to the opposite party. As per the same, the petitioner has undergone 10 months and 19 days of sentence out of the total sentence of two years.

Counsel for the petitioner states that he does not press this petition on merits but prays that a lenient view may be taken in respect of the sentence awarded to the petitioner, since he has been facing the agony of these proceedings since 2014.

Keeping in view the facts and circumstances of the case, I do not find any reason to upset the conviction of the petitioner and the same is dismissed however, as regards the sentence, I deem it appropriate to reduce it to 11 months. Let the petitioner be now arrested or surrender within two weeks to undergo the remaining period of sentence. Ordered accordingly.

Petition stands disposed of with the above modification.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

January 15, 2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No