

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRR-3942-2018 (O&M)
Date of decision : 09.07.2019**

Jaspal Singh

.... Petitioner

Versus

State of U.T. Chandigarh

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

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

Mr. Amit Kumar Goyal, APP,
U.T. Chandigarh.

GURVINDER SINGH GILL, J (ORAL)

The petitioner had approached this Court challenging his conviction in respect of offences under Sections 279, 304-A IPC and 3/181 of M.V. Act as recorded by learned JMIC, Chandigarh vide judgment dated 17.12.2016 and as upheld by the learned Sessions Judge, Chandigarh vide judgment dated 09.10.2018.

The petitioner having been found guilty of committing offences under Sections 279, 304-A IPC and 3/181 of M.V. Act was sentenced as follows:-

U/s 279 IPC :	To undergo rigorous imprisonment for a period of six months.
U/s 304-A IPC :	To undergo rigorous imprisonment for a period of one year with fine of Rs.1000/-.
3/181 MV Act:	Fine of Rs.100/-.

Vide order dated 06.03.2019, this Court while upholding the conviction, had issued notice to the limited extent of considering the quantum of sentence only.

Custody certificate has been filed by learned State counsel today in Court indicating that the petitioner has undergone actual sentence of 9 months. He has also earned remission to tune of 01 month and 17 days, thus totalling undergone period to 10 months and 17 days. He is not stated to be involved in any other case.

Keeping in view of the aforesaid custody period and also that the petitioner is a first offender, the revision petition is accepted to the limited extent of modifying the sentence in respect of offence under Section 304-A IPC from one year to the one already undergone. The fine as well as sentence in respect of other offences shall, however, remain unaltered.

The revision petition stands accepted to the aforesaid limited extent regarding modification of sentence.

Petitioner be released from custody, if not required in any other case.

(GURVINDER SINGH GILL)
JUDGE

09.07.2019
Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No