

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

308

CRR-1764-2019 (O&M)

DATE OF DECISION: 11.12.2019

RATTAN KUMAR CHAUDHARY

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Arshdeep Singh Brar, Advocate for the petitioner(s).

Mr. Ashish Sanghi, DAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has challenged the judgments and orders of the trial Court and the Appellate Court, whereby he has been convicted under Sections 279, 337 and 338 of IPC and sentenced to undergo rigorous imprisonment for 8 months.

Learned counsel for the petitioner contends that he is not challenging the conviction of the petitioner and would confine his prayer to reduction in the sentence to the period already undergone by him. The petitioner has undergone sentence for a period of 6 months out of 8 months. It is a case of only an injury and the injured has fully recovered from the injuries. The petitioner is a professional driver and sole bread winner of his family which comprises his wife and a minor child. He also states that the petitioner is ready to reasonably compensate the complainant in this regard.

Learned State counsel has filed the custody certificate which indicates that the petitioner has undergone 5 months and 16 days as on 26.11.2019 meaning thereby he would have undergone sentence of over 6 months out of the total sentence of 8 months till date.

Heard.

It is a case of only an injury. The injured is stated to have fully recovered from the injuries. The petitioner is a professional driver and a sole bread winner of his family. He is not involved in any other case. The petitioner has undergone sentence of over 6 months out of total sentence of 8 months. The ends of justice would be met in the event of his sentence being reduced to the period already undergone by him.

Therefore, while maintaining the conviction, the sentence of the petitioner is reduced to the period already undergone by him. The petitioner be released from custody in this case if not required in any other case. The petitioner shall pay a sum of Rs.25,000/- in the shape of a demand draft in favour of the injured as compensation within a period of 2 months which shall be deposited before the Registrar Judicial of this Court who shall disburse the same to the injured against proper receipt.

With this modification, the petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

11.12.2019.

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No