

Sr.No.111+245

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

**CRR-748-2019(O&M)
Date of decision:10.01.2020**

Laddu Kumar

... Petitioner(s)

versus

State of Haryana

... Respondent (s)

Coram: Hon'ble Mr. Justice Jasgurpreet Singh Puri

Present: Mr. Sandeep Sharma, Advocate with
Mr. Sukhdeep Singh, Advocate
for the petitioner.

Ms. Harpreet Kaur AAG, Haryana.

Jasgurpreet Singh Puri, J.(Oral)

Vide order dated 27.03.2019, this Court had issued notice of motion qua sentence of imprisonment only and had observed that so far as conviction on merits is concerned, the findings of both the learned courts below are upheld. Therefore, present case is being taken up only for the purpose of deciding the quantum of sentence qua the petitioner.

Learned counsel for the petitioner has submitted that the petitioner is 29 years of age and therefore, he deserves concession of reduction of quantum of sentence on the ground of his age. The total period of sentence in this case was one year out of which he has already undergone 11 months 13 days and therefore, only 18 days are left out of the total sentence.

On the other hand, learned State Counsel has submitted that this is a case where death has been caused due to negligent driving of the petitioner and there are two eye witnesses to the same, namely, Adarsh

Kumar PW-6 and Suresh Kumar PW-7, therefore, his punishment is already on the lower side.

After hearing the learned counsel for the parties, this Court is of the considered view that in view of the totality of the circumstances, the arguments raised by learned counsel for the petitioner that the petitioner is of the age of 29 years, can not be a ground for reduction of his sentence because this is a case where an accident has resulted in death.

In view of the above, no case is made out for the reduction of sentence. Therefore, present petition is dismissed.

10th January, 2020

Shivani Kaushik

[JASGURPREET SINGH PURI]
JUDGE

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*