

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

233

CRR-1289-2019

Date of Decision.: 16.02.2023

Rajbir

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Sandeep Kumar Yadav, Advocate for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

DEEPAK GUPTA, J. (ORAL)

In a case arising out of FIR No.150 dated 03.07.2013 registered at Police Station Rampura, District Rewari, petitioner was convicted by the Court of Learned Judicial Magistrate First Class, Rewari on 13.07.2017 under Sections 279 & 304-A of the Indian Penal Code, 1860.

He was sentenced to varying period of imprisonments with maximum sentence of one year under Section 304-A of the IPC. The two sentences were directed to run concurrently. The appeal filed by the petitioner was dismissed by Learned Additional Sessions Judge, Rewari vide judgment dated 11.03.2019. Consequent thereto, petitioner is before this Court in the present revision.

Learned counsel for the petitioner submits that he does not dispute the conviction and this revision be considered only qua the quantum of sentence. It is pointed out that petitioner has already undergone custody for more than 8 months out of the total sentence of one year. Prayer is made for sentencing the petitioner for the period already undergone by him. It is also pointed by the learned counsel for the petitioner that legal heirs of the deceased had already been compensated by award of compensation of ₹9,00,000/- by Motor Accident Claims Tribunal.

Having considered submissions of both the sides, this Court is of the considered opinion that period of custody already undergone by the petitioner is sufficient to meets the ends of justice. Therefore, impugned order of sentence passed by the Courts below is hereby modified to the extent that petitioner is sentenced for the period already undergone by him.

Disposed of accordingly.

February 16, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No