



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213

Criminal Revision No.366 of 2008 (O&M)
Date of decision: September 10th, 2025

Jeet Singh

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vivek Dahiya, *Amicus Curiae*
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J.

Petitioner is challenging the judgment dated 12.11.2007 passed by learned Additional Sessions Judge, Fatehgarh Sahib, whereby the appeal preferred by him against the judgment of conviction and order of sentence dated 18.10.2006 passed by learned Sub Divisional Judicial Magistrate, Amloh, in FIR No.201 dated 23.11.2003 under Sections 279, 304-A of the IPC registered at Police Station Gobindgarh, vide which the petitioner was convicted and sentenced as follows, was dismissed:

Offence(s) under Section	Period of sentence	Fine imposed	Period of sentence in default of payment of fine
279 of the IPC	RI for 6 months	-	-
304-A of the IPC	RI for 2 years	-	-

- Both the sentences were ordered to be run concurrently.
- Learned *Amicus Curiae* for the petitioner, *inter alia*,

contends that the prosecution version is a concocted and unreliable narrative. It was submitted that the alleged occurrence took place on a busy public road, yet the only eyewitnesses examined are the complainant and one Paramjit Singh, who happened to be the pillion rider. Both are interested witnesses being relatives of the deceased, and the absence of any independent witness from a crowded place renders the prosecution case doubtful. It was further submitted that the incident is stated to have occurred at about 6:30 pm in the month of November, when natural light would have considerably diminished. According to the prosecution itself, the driver of the alleged vehicle fled from the spot immediately after the occurrence. In such circumstances, it is highly improbable that the complainant could have correctly identified the driver in the darkness. Learned counsel submits that the prosecution has failed to examine the owner of the alleged truck to establish that the petitioner was in fact driving the said vehicle at the relevant time or that he was employed as its driver.

4. *Per contra*, learned State counsel has supported the concurrent findings of conviction recorded by both the Courts below. It was submitted that the prosecution has duly established the causal link between the accident and the death of the injured. It has further been submitted by the learned State counsel that the case of the prosecution is duly proved by the eyewitness PW-6 Paramjit Singh, who was the pillion rider of the scooter driven by the complainant. It was further submitted that the complainant PW-2 Mohan Singh has also identified the petitioner during the course of trial.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. Both the Courts below have returned concurrent findings of guilt, which are borne out from the evidence on record and do not suffer from any illegality, irregularity or perversity. Hence, the conviction of the petitioner is affirmed.

7. The only question that survives now for consideration is that of sentence. It is undisputed fact that the accident in question took place close to 22 years ago. During this entire period, the petitioner has faced the ordeal of protracted criminal proceedings. It is also not disputed that he has not been involved in any other criminal case either prior to or after the occurrence, and has maintained good conduct. The petitioner has already undergone more than four months of incarceration.

8. Having regard to the aforesaid circumstances, including the long passage of time since the incident, the clean antecedents of the petitioner, and the period of imprisonment already undergone, this Court is of the considered opinion that the ends of justice would be adequately met by reducing the substantive sentence to the period already undergone while enhancing the quantum of fine.

9. Hon'ble Supreme Court in ***Sagar Loliengar Versus The State Of Goa 2022 (1) SCC 161***, observed that even in cases involving conviction under Section 304-A of the IPC, the substantive sentence of imprisonment can, in appropriate circumstances, be reduced to the period already undergone.

10. Accordingly, while upholding the conviction of the petitioner, the substantive sentence of two years rigorous imprisonment awarded to him is hereby reduced to the period already undergone.

11. There shall be no modification with regard to the fine.

12. With the aforesaid modification, the revision petition stands disposed of.

September 10th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No