



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

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**CRR-2402-2023 (O&M)
Decided on : 31.01.2025**

Krishan Kumar

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Argued by: Mr. Rajesh Malik, Advocate
for the petitioner(s).

Mr. Amandeep Singh, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The present revision petition has been filed by the petitioner aggrieved against the judgment dated 03.08.2023, passed by the learned Additional Sessions Judge, SAS Nagar (Mohali) (in short 'learned Lower Appellate Court'), in case FIR No.157, dated 22.10.2012, under Sections 279/338/304-A of IPC, Police Station Lalru, whereby, the judgment and order of sentence dated 18.07.2017 passed by the Court of learned Judicial Magistrate 1st Class, Dera Bassi, was upheld.

2. At the outset, learned counsel for the petitioner submits that he would not press the instant petition on merits and would restrict his prayer *qua* the quantum of sentence. Further, submits that petitioner is more than 58 years old and does not have any criminal antecedents. Besides, petitioner is facing the agony of protracted trial for more than 12 years, as the case was instituted in the year 2013. The petitioner is a poor person and during the pendency of the instant revision petition, he has been fastened with many liabilities. He also submits that sentence of the petitioner was suspended by



the coordinate Bench of this Court vide order dated 12.11.2024. He has, therefore, prayed that a lenient view be taken and the sentence be thus reduced to the period already undergone.

3. Learned State counsel has produced the custody certificate dated 29.01.2025, in Court today. Same is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

4. Learned State counsel submits that he has no objection to the restricted prayer *qua* the petitioner, so long as his conviction is upheld. Upon asking, learned State counsel submits that as per the custody certificate, petitioner has undergone 01 year, 05 months and 13 days including remission, out of the maximum substantive sentence of 02 years under Section 304-A of IPC.

5. Heard.

6. In view of the submissions made by the learned counsel for the parties, more particularly, *qua* the prayer made by learned counsel for the petitioner, I am of the considered view that ends of justice would be met if while maintaining the conviction of the petitioner, his sentence is reduced to the period already undergone by him. Ordered accordingly. However, there shall be no modification with regard to fine.

7. With the aforesaid modifications in the quantum of sentence dated 18.07.2017, the instant petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

January 31, 2025

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No