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

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CRR-2517-2024

Date of decision: 02.07.2025

PUSHPINDER SINGH @ PUSHAWINDER SINGH

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Parveen Kumar, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Mr. G.S. Sandhu, Advocate for the complainant.

SANJAY VASHISTH. J.(Oral)

1. The present revision petition has been filed by the petitioner against the judgment dated 27.11.2024 passed by learned Additional Sessions Judge, Karnal, (in short 'learned Lower Appellate Court'), in case FIR No.697 dated 24.07.2014, under Sections 279 and 304-A of IPC, registered at Police Station City Karnal, whereby, the judgment of conviction dated 20.03.2017 and order of sentence dated 22.03.2017, passed by learned JMIC Karnal, was upheld.

After holding the accused/petitioner guilty, learned trial court has sentenced him as under:-



Section	Imprisonment	Fine	Default
279	Simple imprisonment for three months	Rs.1,000/-	In default of payment of fine, convict shall undergo simple imprisonment for a period of one day
304-A	Simple imprisonment for one year	Rs.9,000/-	In default of payment of fine, convict shall undergo simple imprisonment for a period of nine days

2. Learned counsel for the petitioner at the outset does not contest the findings of guilt recorded by both the Courts below. Instead, he has restricted his submissions to the quantum of the sentence only. It has been argued by the learned counsel that the petitioner has already undergone more than 08 months of the substantive sentence of one year imposed upon him. He further submits that petitioner is more than 42 years of age and does not have any criminal antecedents. It has been further highlighted by the learned counsel for the petitioner that the petitioner has since maintained a discipline and law-abiding life, shouldering numerous responsibilities. A prayer has, therefore, been made for this Court to adopt a lenient approach in the light of the above circumstances.

3. In support of his arguments, learned counsel has placed reliance on the judgment of Hon’ble the Supreme Court in **Sagar Lolienkar Versus State of Goa 2012 (1) SCC 161**, wherein Hon’ble the Supreme Court had reduced the sentence of a convict under Section 304A of the IPC to the period already undergone, recognizing the mitigating circumstances of the case.

4. Learned State counsel has produced the custody certificate dated 01.07.2025, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.



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5. 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 08 months and 07 days including remission, out of the maximum substantive sentence of 01 year under Section 304-A of IPC.

6. I have heard learned counsel for the parties.

7. 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 sentence already undergone by him.

8. Ordered accordingly.

9. However, to balance the scales of justice, an amount of Rs.25,000/- as compensation over and above the already imposed amount of fine by the Court below, is directed to be deposited within two months from today before the trial/successor Court and same shall be disbursed to the next kin of the victim, namely Parteek (since deceased), as compensation.

10. In case of non-payment of the enhanced amount within the stipulated period, the benefit of sentence reduction would not accrue to the petitioner, and he would be required to undergo the remainder of the original sentence.

11. As per the custody certificate dated 01.07.2025, petitioner is confined in District Prison Karnal. He be released forthwith, if not required in any other case.

12. Registry is directed to transmit copy of this judgment to learned Trial



Court immediately, for releasing of the petitioner from jail and taking further steps with regard to the recovery of compensation amount, if not paid within the stipulated time.

13. With these modifications, the instant petition stands disposed of.

02.07.2025
amandeep

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No