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

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CRR-2329-2007 (O&M)

Date of Decision : 30.04.2026

Raj Kumar

....Petitioner

VERSUS

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present: Ms. Shreya Rana, Advocate for the petitioner.

Mr. S.S.Nahar, AAG Punjab.

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H.S.GREWAL J. (Oral)

1. The present revision petition has been filed against the judgment of conviction and order of sentence dated 08.11.2006, passed by the learned Judicial Magistrate, Ist Class, Sangrur, whereby the petitioner has been convicted and sentenced to undergo rigorous imprisonment for a period of two years and a fine of Rs.2,000/- and in default of payment of fine to further undergo rigorous imprisonment for a period of two months under Sections 304-A IPC. Under Section 279 IPC, he was convicted and sentenced to undergo rigorous imprisonment for a period of six months and a fine of Rs.1,000/- and in default of payment of fine to further undergo rigorous imprisonment for a period of one month. Both the sentences were ordered to run concurrently. The petitioner has further challenged the judgment dated 15.10.2007, whereby the appeal filed by the petitioner against the judgment of conviction and order of sentence dated 08.11.2006

has been dismissed by the learned Additional Sessions Judge (A), FTC, Sangrur.

2. It is stated that on 13.09.2001, when Nand Singh was going to village Changal on his bicycle, a tanker bearing registration No.PUB-5845 came from the side of Sangrur on a high speed and hit the bicycle of Nand Singh and dragged him for a distance of 10 karams towards Dhuri. In the said accident Nand Singh had died at the spot. It is the case of the prosecution that the accident took place due to rash and negligent driving by driver of the tanker due to which Nand Singh lost his life.

3. At the very outset, learned counsel for the petitioner submits that she does not dispute the case on merits and she limits her prayer only to the reduction of sentence of the petitioner. She further submits that the petitioner is facing trial since 13.09.2021 and at that time the petitioner was 51 years of age. Now he is about 70 years of age. He has already undergone more than five months of substantive sentence including remissions and is not involved in any other case.

4. It is pertinent to mention here that the learned trial Court has set off the period of detention already undergone by the convict during the investigation and trial.

5. Keeping in view the limited prayer made by the learned counsel for the petitioner and in view of the fact that learned trial Court has set off the period of detention already undergone by the convict during the investigation and trial, the present revision petition is allowed. The sentence of the petitioner is reduced to the period already undergone by him. The impugned judgment of conviction and order of sentence dated 08.11.2006,

passed by the learned Judicial Magistrate, Ist Class, Sangrur as well as the judgment dated 15.10.2007 passed by the learned Additional Sessions Judge (A), FTC, Sangrur are set aside subject to fine of Rs.10,000/- to be deposited by the petitioner in the High Court Legal Services Committee.

April 30, 2026
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(H.S.GREWAL)
JUDGE

Whether speaking/non-speaking : Speaking
Whether reportable : Yes/No