



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-1567-2010
Date of Decision:20.03.2026

Jaswant Singh @ Sucha Singh ...Petitioner
Vs.
State of Punjab ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present: Mr. Avichal Sharma, Advocate as Amicus Curiae
for the petitioner.

Mr. Bhanu Partap Singh, Addl.A.G., Punjab.

N.S.Shekhawat J.

1. The petitioner has filed the present revision petition against the impugned judgment dated 05.05.2010 passed by the Court of Additional Sessions Judge Hoshiarpur and the impugned judgment of conviction and order of sentence dated 18.03.2009, passed by the Court of Judicial Magistrate Ist Class, Dasuya, whereby the petitioner was ordered to be convicted for the offence punishable under Sections 279,337,338 of IPC and were sentenced as under:-

Under Section 279 IPC	R.I for a period of six months and to pay a fine of Rs.300, in default of payment of fine, to further undergo RI for a period of 01 month.
Under Section 337 IPC	R.I for a period of six months and to pay a fine of Rs.300, in default of payment of fine, to further undergo RI for a period of 01 month.
Under Section 338 IPC	R.I for a period of one year and to pay a fine of Rs.500, in default of payment of fine, to further undergo SI for a period



	of 03 months.
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2. The brief facts of the prosecution case are that the petitioner was working as a driver on Bus No. PB-06-1227 of Prashar Company. On 27.3.2004 at about 1:00 pm, the bus left Bus Adda Talwara for Damtal. PW-6 Sham Lal son of Dharam Chand had boarded the bus at Bus Adda Talwara. The bus driver right from the start of the journey from Bus Adda Talwara, drove the bus, in a rash and negligent manner and at a very high speed, Sham Lal was sitting on the front seat of the bus. He requested the bus driver to drive the bus at slow speed. At about 1:10 P.M, when the bus was a little away from Sector-2, from where a road leads to village Dohar, the bus driver lost control over the bus and the bus struck against a mango tree on the right side of the road. Due to the impact, Sham Lal fell out of the bus from the front glass. 2-3 other passengers also fell over him. The bus driver Sucha Singh jumped out of the bus and ran away. The injured were taken to BBMB Hospital, Talwara. In the hospital, Sham Lal came to now that Sunny Kumar, Deepak Kumar, Mohinder Kaur and about 30-35 other passengers had also received injuries. He also stated that driver Sucha Singh was also known by the name of Jaswant Singh. On the statement made by Sham Lal the present First Information Report was registered on 27.3.2004.

3. After completion of investigation, challan was presented before the Court of Area Magistrate. The Trial Court found that a prima facie case under Sections 279,337 and 338 of IPC was made out against the petitioner and the petitioner was charge-sheeted accordingly. However, the petitioner pleaded not guilty and claimed to be tried by the Trial Court.



4. In order to prove the charge against the petitioner, the prosecution examined 09 witnesses. PW-1 Neeru Ahuja, PW-2 Subhash Ahuja, PW-3 Om Parkash, PW-4 Mohinder Kaur, PW-5 Avtar Singh, PW-6 Sham Lal, PW-7 ASI Phoola Singh, PW-8 HC Kirpal Singh and PW-9 Dr. Ashish Kumar Gupta, Government Medical College, Sector-32, Chandigarh and thereafter, the evidence was closed.

5. After the closure of the prosecution evidence, the statement of petitioner was recorded under Section 313 Cr.P.C and all the incriminating evidence was put to him, to which he pleaded that he had been falsely involved in the present case.

6. In defence evidence, the petitioner examined Karam Singh as DW-1.

7. In the present case, it is apparent from the statements made by PW-1 to PW-6 that they were travelling in the bus in question and had received injuries, when the bus had hit against a mango tree. All the witnesses categorically stated that the petitioner was driving the bus rashly and negligently. All the witnesses were cross-examined at length, however, their testimonies cannot be shattered in any manner. PW-9 Dr. Ashish Kumar Gupta, further proved on record the treatment record of Subhash Ahuja, Puneet, Gudia and Neeru, who had suffered grievous injuries. Even, DW-1 admitted in cross examination that there were fractures suffered by various injured in the present case and he did not advance the case of the petitioner in any manner. Consequently, the petitioner has been rightly convicted under Sections 279,337,338 of IPC.

8. Now, advertng to the order of quantum of sentence, this Court



cannot lose sight of the fact that the petitioner is facing prosecution in the present case since 27.03.2004 i.e. for the last about 22 years. Moreover, he is not a previous convict and was never involved in any other criminal activity. He has already undergone more than 02 months of actual custody out of total sentence of six months. Even, the sentence imposed on him, was suspended by this Court on 28.06.2010 and he has maintained good conduct in the past 15 years. Thus, keeping in view the above discussion, it would be appropriate to reduce the sentence imposed on the petitioner to the period already undergone by him in the present case. However, amount of fine imposed on him shall remain the same.

9. With the above modifications, the present revision petition is partly allowed and the impugned judgment of convictions are upheld, whereas, the sentence imposed on the petitioner is reduced to the period already undergone by him and the amount of fine imposed on them shall remain the same.

10. Pending application(s), if any, stand(s), disposed of, accordingly.

(N.S.SHEKHAWAT)
JUDGE

20.03.2026
hitesh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No