
(1984) 09 P&H CK 0018

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Revision No. 1264 of 1984

Sukhminder Singh

APPELLANT

Vs

State of Punjab

RESPONDENT

Date of Decision: Sept. 10, 1984

Hon'ble Judges: Pritpal Singh, J

Advocate: P.S. Kang, K.S. Daod, Advocates for appearing Parties

Judgement

Pritpal Singh, J.

1. The petitioner Sukhminder Singh was convicted under section 304A, Indian Penal Code, by the trial Magistrate and he was sentenced to undergo 1 1/2 year's rigorous imprisonment and to pay a fine of Rs. 2,000/-. The appeal of the petitioner filed against this judgment was dismissed by the Additional Sessions Judge Faridkot, on August 2, 1984. Against the judgment of the appellate Court the present revision has been filed by Sukhminder Singh.

2. The prosecution story is that on May 27, 1981, at about 7.00 p.m. the petitioner was driving Bus No. PUK 2999 belonging to the Sewak Bus Transport Company of which he is the Traffic Manager and due to his rash and negligent driving two persons namely Mukhtiar Singh and Amarjit Singh were knocked down who succumbed to the injuries.

3. At the motion hearing no infirmity was found in the order of conviction recorded against the petitioner. The revision was admitted only to be heard on the point of sentence.

4. The petitioner is a first offender and as mentioned above is Traffic Manager of a Transport Company. He has already undergone a part of sentence. The offence under section 304A, Indian Penal Code, is punishable with a maximum imprisonment of two years. In these circumstances considering the antecedents of the petitioner I find it a fit case to release him on probation. At the same time it is equitable to order him to pay adequate compensation to the next of kin of the

aforementioned deceased Taking this view the order of sentence is set aside. The petitioner is directed to be released on probation for a period of one year on his furnishing requisite bond in the sum of Rs. 5,000/ with one surety in the like amount to the satisfaction of the trial Court to appear and receive sentence when called upon during the period of probation and in the meantime to keep the peace and be of good behaviour. He is also directed to pay compensation of Rs. 5,000/ to the next of kin of Mukhtiar Singh deceased and a similar amount to the next of kin of Amarjit Singh deceased by way of compensation. With this modification in the order of sentence, this revision stands dismissed.

Revision dismissed.