



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

215

CRR-2183-2008

Date of decision: 04.09.2025

Narinderjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Jagdeep Singh Rana, Advocate (Amicus Curiae)  
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

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**MANJARI NEHRU KAUL, J.**

1. The petitioner has filed the instant revision petition to impugn the order dated 11.07.2008 passed by learned Additional Sessions Judge (Ad-hoc) Fast Track Court, Jalandhar, whereby the appeal preferred by him against the judgment of conviction/order of sentence dated 19.12.2007 passed by learned Judicial Magistrate 1<sup>st</sup> Class, Jalandhar, in case FIR No.141 dated 09.11.2003 under Sections 279/337/338/304-A of the IPC registered at Police Station Kartarpur, was dismissed.

2. Vide judgment dated 19.12.2007, learned Judicial Magistrate 1<sup>st</sup> Class, Jalandhar, convicted the petitioner and sentenced as under:-

<b>Offence(s) under Section</b>	<b>Period of sentence</b>	<b>Fine imposed</b>	<b>Period of sentence in default of payment of fine</b>
304-A IPC	RI for 02 years	Rs.500/-	SI for 01 month
279 IPC	-	Rs.500/-	SI for 01 month
337 IPC	-	Rs.500/-	SI for 01 month



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3. Learned Amicus Curiae appearing for the petitioner has, *inter alia*, contended that the learned Trial and Appellate Courts erred in convicting the petitioner, as the prosecution failed to prove its case beyond reasonable doubt. It has been urged that no independent witness was examined to establish either the alleged negligence or the responsibility of the petitioner in causing the occurrence in question. It has further been submitted that the testimonies of PW Meernu and PW Prem Lata, being interested witnesses, cannot be relied upon without corroboration from independent sources. Both these witnesses themselves admitted in their depositions before the Court that 8 to 10 persons were present at the spot at the relevant time; however, the prosecution chose not to examine any one of them.

4. *Per contra*, learned State counsel has supported the concurrent findings of conviction recorded by learned Trial and Appellate Courts. It was submitted that the testimonies of PW Meenu and PW Prem Lata, who were themselves occupants of the car involved in the accident, are natural and trustworthy. Their presence at the spot is thus beyond doubt, and their depositions clearly establish that the accident occurred due to the rash and negligent driving of the petitioner. It is further contended that merely because the said witnesses are related or known to the injured/deceased does not render their evidence unreliable.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. The contention raised on behalf of the petitioner that the



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prosecution failed to examine independent witnesses, though 8-10 persons were allegedly present at the spot, does not hold much merit in the facts of the present case. The testimonies of PW Meenu and PW Prem Lata, who were themselves occupants of the car involved in the accident, stand firm in material particulars. Their presence at the scene is natural and cannot be doubted. Both witnesses categorically deposed that the accident occurred on account of the rash and negligent driving of the petitioner. Their evidence has withstood the test of cross-examination and inspires confidence.

7. It is well-settled that non-examination of independent witnesses is not fatal to the prosecution case, so long as the testimony of the examined witnesses is trustworthy and reliable. In the present case, the ocular version of PW Meenu and PW Prem Lata stands corroborated by the medical evidence on record, which attributes the cause of death to the injuries sustained in the accident.

8. In facts and circumstances as enumerated hereinabove, this Court finds no illegality, infirmity or perversity in the concurrent findings of conviction recorded by the learned Trial and Appellate Courts. The conviction of the petitioner is accordingly upheld.

9. At this stage, learned Amicus Curiae prays for leniency in the matter of sentence, placing reliance fact that he has undergone protracted criminal proceedings for over two decades. The custody certificate placed on record shows that the petitioner has already undergone incarceration for a period of 06 months and 26 days, and has not been involved in any other criminal case apart from the present one.



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10. Considering the prolonged ordeal of trial, and his unblemished record otherwise, this Court is of the view that no useful purpose would be served by sending the petitioner back to custody at this stage.

11. In the interest of justice, while upholding the conviction, the substantive sentence of 02 years under Section 304-A of the IPC is reduced to the period already undergone by the petitioner.

12. Ordered accordingly.

13. However the fine imposed upon the petitioner is enhanced from Rs.1,500/ to Rs.10,000/ to be deposited with the "Punjab Chief Minister Relief Fund, A/c No. 001934001000589, IFSC-TPSC0000019, Punjab State Cooperative Bank" within one month from the date of this order. It is made clear that in the event of non-deposit of the enhanced fine within a period of one month from today, the benefit of reduction of sentence shall not accrue to the petitioner, and he shall be required to undergo the remaining part of the sentence awarded to him.

14. With the aforesaid modification in the quantum of sentence and enhancement of fine, the instant revision petition stands disposed of.

**04.09.2025**

Vinay

**(MANJARI NEHRU KAUL)  
JUDGE**

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