



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

214

Criminal Revision No.2793 of 2008 (O&M)
Date of decision: September 10th, 2025

Lali Singh

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Hanima Grewal, *Amicus Curiae*
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J.

Petitioner is challenging the judgment dated 03.12.2008 passed by learned Additional Sessions Judge, Sangrur, whereby the appeal preferred by him against the judgment of conviction and order of sentence dated 24.01.2005 passed by learned Chief Judicial Magistrate, Sangrur, in FIR No.470 dated 08.12.2000 under Sections 279, 304-A of the IPC registered at Police Station Kotwali, Sangrur, vide which the petitioner was convicted and sentenced as follows, was dismissed:

Offence(s) under Section	Period of sentence	Fine imposed	Period of sentence in default of payment of fine
304-A of the IPC	RI for 2 years	₹5,000/-	RI for 4 months
279 of the IPC	RI for 6 months	₹500/-	RI for 1 month

2. Both the sentences were ordered to be run concurrently.
3. Learned *Amicus Curiae* for the petitioner, *inter alia*, contends that PW-10 Kalu Ram, who was the driver of the jeep coming

from the opposite direction, which collided with the Maruti Car, which was allegedly driven by the petitioner, has not uttered a single word against the petitioner. It was further submitted that PW-14 Rajinder Kumar, who was also present in the jeep, has also not supported the case of the prosecution.

4. It is further contended by the learned counsel for the petitioner that the FIR in question pertains to the year 2000, and ever since, the petitioner has been facing the ordeal of prolonged trial proceedings, spanning more than two decades. Learned counsel submits that out of the substantive sentence of two years imposed upon him by both the learned Courts below, the petitioner has already undergone actual incarceration of 5 months and 2 days. In these circumstances, it is urged that a lenient view be taken while considering the question of sentence, particularly in light of the protracted nature of the proceedings and the period of imprisonment already undergone.

5. In support of this plea, reliance has been placed upon the judgment of the Hon'ble Supreme Court in *Sagar Loliengar Versus The State Of Goa 2022 (1) SCC 161*, wherein it has been observed that even in cases involving conviction under Section 304-A of the IPC, the substantive sentence of imprisonment can, in appropriate circumstances, be reduced to the period already undergone.

6. *Per contra*, learned State counsel has supported the concurrent findings of conviction recorded by both the Courts below. It was submitted that the prosecution has duly established the causal link between the accident and the death of the injured. It has further been submitted by the learned State counsel that PW-9 complainant Jagdev Singh clearly stated that the accused Lalli Singh while trying to

overtake the bus had collided with the jeep coming from the opposite side. It was further submitted by the learned State counsel that the injured witnesses i.e. PW-15 Mohinder Singh and PW-16 Rajesh Kumar stated that the accident occurred due to the rash and negligent driving of the petitioner, who was trying to overtake the bus.

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

8. Both the Courts below have returned concurrent findings of guilt, which are borne out from the evidence on record and do not suffer from any illegality, irregularity or perversity. Hence, the conviction of the petitioner is affirmed. The only question that survives for consideration is that of sentence. It is undisputed fact that the accident in question took place close to 25 years ago. During this entire period, the petitioner has faced the ordeal of protracted criminal proceedings. It is also not disputed that he has not been involved in any other criminal case either prior to or after the occurrence, and has maintained good conduct. The petitioner has already undergone more than three months of incarceration.

9. Having regard to the aforesaid circumstances, including the long passage of time since the incident, the clean antecedents of the petitioner, and the period of imprisonment already undergone, this Court is of the considered opinion that the ends of justice would be adequately met by reducing the substantive sentence to the period already undergone while enhancing the quantum of fine.

10. Accordingly, while upholding the conviction of the petitioner, the substantive sentence of two years rigorous imprisonment awarded to him is hereby reduced to the period already undergone.

11. There shall be no modification with regard to the fine.
12. With the aforesaid modification, the revision petition stands disposed of.

September 10th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No