

In the High Court of Punjab and Haryana at Vs. in the High Court of Punjab and Haryana at

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SooperKanoon Citation : [sooperkanoon.com/1091117](http://sooperkanoon.com/1091117)

Court : Punjab and Haryana

Decided On : Sep-17-2013

Appellant : In the High Court of Punjab and Haryana at

Respondent : In the High Court of Punjab and Haryana at

Judgement :

Crl.

Revision No.3713 of 2012 (O&M) 1 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH -- Crl.

Revision No.3713 of 2012 (O&M) Date of decision: 17.09.2013 Telu Ram .....Petitioner Versus State of Haryana .....Respondent Coram: Hon'ble MRS.Justice Rekha Mittal -- Present: Mr.M K Sangwan, Advocate for the petitioner Mr.Anupam Sharma, AAG, Haryana for the respondent State -- 1.

Whether Reporters of local papers may be allowed to see the judgment?.

2.

To be referred to the Reporter or not?.

3.

Whether the judgment should be reported in the Digest?.

**Rekha Mittal, J.**

Through the present petition, Telu Ram-convict has assailed his conviction and sentence for offence under Sections 279, 337, 304-A of Indian Penal Code.

On November 22, 2012, an order was passed.

A relevant extract from the order reads as under:- Prima facie, there does not appear to be any scope for interference in the conviction order.

However, the petitioner can be heard on sentence subject to his paying a reasonable compensation to the heirs of deceased.

Counsel for the petitioner seeks time to confirm whether the petitioner would be able to pay a sum between Rs.1,00,000/- to Rs.2,00,000/- to the heirs of each deceased.

Bimbra Mohan Lal Counsel for the petitioner submits that the petitioner has  
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Chandigarh Crl.

Revision No.3713 of 2012 (O&M) 2 already undergone a substantial part of the substantive sentence and he is not in a position to pay compensation to the heirs of deceased Mani Ram and Lok Ram.

However, it is submitted that keeping in view the character and antecedents of the petitioner and period of his sufferings due to criminal proceedings for the last about 10 years the sentence may be reduced to the period already undergone.

Counsel for the State has opposed the prayer of the petitioner.

I have heard counsel for the parties and gone through the case file.

The criminal law was set in motion in April, 2004 and the petitioner has undergone the agony and trauma for the last more than nine years. He has suffered incarceration since the disposal of his appeal affirming his conviction and sentence on 12.10.2012.

The custody certificate produced by the State would reveal that no other criminal case was ever registered much less pending against the petitioner.

There is nothing on record to suggest that the petitioner ever stood in the way of administration of justice.

Keeping in view the totality of the facts and circumstances, the sentence awarded to the petitioner for offence under Section 304-A IPC is reduced to rigorous imprisonment for a period of one year and three months.

The petition stands disposed of with modification in the aforesaid terms. (Rekha Mittal) Judge 17.09.2013 Mohan Bimbra Mohan Lal 2013.09.19 09:41 I attest to the accuracy and integrity of this document Chandigarh

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