



210 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRR-2607-2012 (O&M)
Date of Decisio: 23.04.2026

Dalip Singh

...Petitioner

Vs.

State of Punjab

...Respondent

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

Present: Mr. Vijay Lath, Advocate
 for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

N.S.Shekhawat J.

1. The petitioner has filed the present revision petition against the impugned judgment dated 13.07.2012, passed by the Court of Sessions Judge, Rupnagar, whereby, the appeal filed by the petitioner was ordered to be dismissed and the impugned judgment of conviction and order of sentence dated 21.01.2012, passed by the Court of Chief Judicial Magistrate, Ropar, whereby the petitioner was ordered to be convicted for the offence punishable under Sections 279, 304-A of IPC and was sentenced as under:-

Under Section 279 of Indian Penal Code	Rigorous imprisonment for a period of six months and to pay a fine of Rs.1000/-. In default of payment of fine, to further undergo simple imprisonment for a period of 05 days.
Under Section 304-A of Indian Penal Code	Rigorous imprisonment for a period of one year and to pay a fine of Rs.3000/-. In default of payment of fine, to further undergo simple imprisonment for a period of 05 days.

2. The brief facts of the case are that on 07.12.2005, a wireless message was received in Police Post Ghanauli from Police Station Sadar



Ropar, regarding admission of injured Simranjit Singh son of Amarjit Singh and Ravinder Singh son of Nirmal Singh, on account of the road side accident. Then HC Jaspal Singh went to PGI, Chandigarh and moved an application for obtaining opinion of the doctor regarding fitness of the injured to make statement. However, the doctor concerned declared both the injured unfit to make statement. On 10.12.2005, the police party headed by HC Ram Singh were going to PGI, Chandigarh. On the way at Canal Bridge of village Ahmedpur, Nissan Singh complainant met with the police party and got recorded his statement to HC Ram Singh alleging that on 07.12.2005, he alongwith one Avtar Singh son of Mohinder Singh was going from Ropar towards Ghanauli side on motorcycle No. PB-12-F-2273. Ahead of them, at a distance of 30 yards, two Sikh young boys were also going on motorcycle No. PB-65-C-8425. At about 10:30 AM, when they reached near village Ahmedpur, a truck bearing No. HP-51-4223 came from Ghanauli side at a very high speed and driver of the said truck while going on wrong side struck the same in the motorcycle of above said two Sikh young boys, who were going ahead of them, as a result of which, both of them fell on the road. It is further alleged that complainant stopped his motorcycle and started taking care of the said two boys and came to know about their identity from the cards recovered from their pockets as Simranjit Singh son of Amarjit Singh, who was driving the said motorcycle and Ravinder Singh son of Nirmal Singh, who was sitting on the pillion of the said motorcycle. In the meantime, driver of the truck also came to the spot and on asking he disclosed his name as Dalip Singh son of Bali Ram. The police ambulance also came on the spot. Simranjit Singh received injury on his head and his left thigh also got fractured besides the other injuries. Ravinder Singh also received multiple



injuries on his person. Then both the injured were shifted to Civil Hospital, Ropar. In the meantime, the driver ran away from the spot with his truck. It is alleged that the accident had been caused due to the rash and negligent driving of truck No. HP-51-4223 by Dalip Singh. After recording this statement, *Ruqa* was sent to the police station, on the basis of which FIR was registered under Section 279, 337, 338 and 304-A IPC at Police Station Sadar, Ropar. During the course of investigation, spot was inspected, site plan of the place of accident was prepared, the vehicles involved in the accident were taken into possession by the police. Statements of witnesses were recorded, accused was arrested.

3. After the investigation was concluded, challan was presented under Sections 279, 337, 338 and 304-A of Indian Penal code against the petitioner. The trial Court found a *prima facie* case under Section 279, 338 and 304-A IPC and the petitioner was charge-sheeted accordingly. However, the petitioner pleaded not guilty and claimed trial.

4. In order to prove the charges against the petitioner, the prosecution examined PW1 – HC Satnam Singh, PW2 - Nissan Singh (complainant), PW3 – Simranjit Singh, PW4 - Nirmal Singh and PW5 - ASI Ram Singh and thereafter, the evidence was closed by Court order.

5. After closure of the prosecution evidence, statement of the petitioner was recorded under Section 313 Cr.P.C and all the incriminating evidence was put to him, to which he pleaded false implication. No evidence was led by the petitioner in his defence.

6. At the very outset, learned counsel appearing on behalf of the petitioner submits that he does not wish to challenge the impugned judgments of conviction and some leniency may be shown by this Court, while awarding



the sentence to the petitioner. Even though, learned counsel for the petitioner has not challenged the judgment of conviction, still this Court has considered the case on merits.

7. In the present case, the prosecution had examined the complainant Nishan Singh as PW2, who had supported the case of the prosecution. In fact, he was present at the place of accident and had witnessed the accident. Ultimately, Ravinder Singh had succumbed to the injuries suffered by him in the accident. Apart from that, his testimony was duly supported by PW3 - Simranjit Singh, injured in the present case, who stated that the offending truck was being driven at a very high speed and in a rash and negligent way by the present petitioner and he had caused the accident. Due to the injuries, PW3 - Simranjit Singh had become unconscious. The prosecution further examined PW4 - Nirmal Singh, father of Ravinder Singh. He stated that his son had died in the accident and had identified the dead body of his son. The prosecution further examined ASI Ram Singh, Investigating Officer as PW5, who proved the investigation in the present case and found that the allegations levelled by the complainant were correct. Thus, the prosecution had successfully proved the charge under Sections 279 and 304-A IPC against the petitioner beyond shadow of reasonable doubt.

8. Even otherwise, I have gone through the judgment passed by the trial Court as well as the appellate Court and find no infirmity, illegality or perversity in the judgments. Thus, the impugned judgments of conviction, passed by the trial Court as well as the appellate Court are ordered to be upheld by this Court.



9. Now, advertent to the order of quantum of sentence, this Court cannot lose sight of the fact that the petitioner is facing agony of trial/appeal since 10.12.2005 i.e. for the last more than 20 years. Even the petitioner is aged about 56 years and is the sole bread earner of the family. He is a first offender and was never involved in any criminal activity. The sentence imposed upon the petitioner was suspended on 03.10.2012 and in the last more than 13 years, he had maintained good conduct. Apart from that, as per the custody certificate, the petitioner has already undergone actual custody of 02 months and 22 days out of total sentence of 01 year.

10. Keeping in view the aforesaid mitigating circumstances as well as the law laid down by the Hon'ble Supreme Court in ***Mallappa Hanumantappa Talawar v. State of Karnataka, (Criminal Appeal No.1606 of 2025, decided on 01.04.2025); Palwinder Singh v. State of Punjab, (Crl. Appeal No.2827 of 2025, decided on 23.05.2025); Md. Rafik @ Rafik Ansari v. State of Jharkhand, (Crl. Appeal No. 3009 of 2025, decided on 15.07.2025)*** and ***Prabhu Singh Vs. The State of Rajasthan, 2025(2) TAC 467***, the present revision petition is partly allowed and the impugned judgments of conviction, passed by the trial Court as well as the Appellate Court are upheld. However, the sentence imposed upon the petitioner is reduced to the period already undergone by him. Still further, the amount of fine in the present case is enhanced to Rs.1,00,000/-, which shall be deposited by the petitioner as compensation with the Court of concerned Chief Judicial Magistrate, within a period of two months from today. The amount of fine/compensation shall be paid by the Chief Judicial Magistrate to the legal representatives of Ravinder Singh, since deceased, in the present case, after proper verification and against receipt.



11. With the above modifications, the revision is partly allowed and impugned judgment dated 13.07.2012, passed by the Court of Sessions Judge, Rupnagar and the impugned judgment dated 21.01.2012, passed by the Chief Judicial Magistrate, Ropar, are upheld, whereas the order of sentence is modified to the extent that the sentence imposed upon the present petitioner is reduced to the period already undergone by him. In case, the fine/compensation amount is not deposited within a period of two months from today, the present criminal revision petition shall be deemed to be dismissed.

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

23.04.2026*sunil***(N.S.SHEKHAWAT)
JUDGE**

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