



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

2026:PHHC:039239



108

CRR-675-2026 (O&M)

Date of Decision: 13.03.2026.

Jaswinder Singh @ Maddi

...Petitioner.

Versus

State of Punjab

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. Saajan Singla, Advocate (Legal Aid Counsel)
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

SUKHVINDER KAUR, J.

1. By way of this revision petition, the petitioner has challenged the judgment dated 20.05.2025 passed by learned Additional Sessions Judge, Hoshiarpur, whereby the appeal filed by the petitioner, challenging the judgment of conviction and order of sentence dated 18.10.2024 passed by learned Judicial Magistrate Ist Class, Hoshiarpur, in case FIR No.116 dated 21.05.2021, under Sections 279 and 304-A IPC, registered at Police Station Model Town, District Hoshiarpur was upheld.

2. Brief facts of this case are that on 20.05.2021 due to the alleged rash and negligent driving by the petitioner of truck bearing registration No.PB-32L-9366, death of Rupinder Singh was caused. On the basis of the statement of the complainant Jasvir Singh, the present FIR was got registered against the petitioner. Upon trial, vide judgment and order of



sentence dated 18.10.2024 passed by learned Judicial Magistrate Ist Class, Hoshiarpur, the petitioner was convicted and sentenced as under:-

Name of accused	Under Section	Imprisonment
Jaswinder Singh @ Maddi	279 IPC	03 months
	304-A IPC	02 years

3. Aggrieved against the same, the petitioner preferred appeal before the learned Additional Sessions Judge, Hoshiarpur, but the judgment of conviction passed by the trial Court was upheld by the said Court and appeal was dismissed.

4. At the very outset, learned counsel for the petitioner has submitted that the judgment of conviction of the petitioner is not being assailed on merit and he restricts his prayer for modification of order on quantum of sentence.

5. Per contra, learned counsel for the state submitted that the well reasoned judgment has been passed by both the Courts below based on correct appreciation of the evidence available on record and the petitioner does not deserve any leniency.

6. Learned counsel for the parties have been heard and the record has been meticulously examined with their able assistance.

7. Since the revisionist/ petitioner has not challenged the judgment of conviction on merits, as such the said issues are not being gone into at this stage and it is being restricted to the issue pertaining to sentencing and quantum of punishment.

8. The Hon'ble Supreme Court in **Pramod Kumar Mishra Vs. State of UP (2023) 9 SCC 810**, observed that punishment must not be



viewed as an act of vengeance but as a means of reformation and reintegration of the offender into society. It was further held that an appropriate sentence must be determined by considering a range of factors, including the nature and circumstances of the offence, the offender's background, age, mental and emotional condition, potential for rehabilitation, prior criminal record, and the deterrent needs of the community. Sentencing, the Court noted, involves a delicate exercise of judicial discretion where multiple social, psychological, and moral factors must be balanced to ensure that justice serves both societal protection and individual redemption.

9. Hon'ble Supreme Court again reiterated in ***Ravada Sasikala v. State of AP reported as AIR 2017 SC 1166***, that law in this regard is well settled that opportunities of reformation must be granted and such discretion is to be exercised by evaluating all attending circumstances of each case by noticing the nature of the crime, the manner in which the crime was committed and the conduct of the accused to strike a balance between the efficacy of law and the chances of reformation of the accused. In order to determine the quantum of sentence, Courts should bear in mind the principle of proportionality as awarding punishment is not merely retributive but also reformative.

10. The perusal of impugned judgment reveals that there is no perversity and evidence on record has been appreciated in the right perspective, but as observed above, the counsel for the petitioner has not challenged the conviction on substantive grounds and while limiting his plea solely to modification of the quantum of sentence to one already undergone.



11. Learned State counsel has produced the custody certificate of the petitioner, as per which the petitioner has already undergone custody of 01 year, 04 months and 04 days out of awarded substantive sentence of 02 years.

12. Taking into consideration the facts noticed above that it was unfortunate purely accidental occurrence, that the petitioner has faced the rigors of a long criminal prosecution; that he is the first time offender with no criminal antecedents, in the facts and circumstances of the present case it would be in the interest of justice, if sentence awarded to the petitioner is reduced to the period already undergone by him.

13. Therefore, in view of the discussion above, the present revision is disposed of in the following terms:-

(i) The judgment dated 20.05.2025 passed by the learned Additional Sessions Judge, Hoshiarpur is upheld.

(ii) The order of sentence dated 18.10.2024 passed by learned Judicial Magistrate Ist Class, Hoshiarpur is modified to the extent that the sentence of the petitioner is reduced to the period of sentence already undergone by him.

14. The concerned jail authorities are directed to release the petitioner immediately, if not required in any other case.

15. Pending miscellaneous application(s), if any, shall also stand disposed of.

16. Registry is directed to do the needful.

(SUKHVINDER KAUR)
JUDGE

13.03.2026.

Komal

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