



2025:DHC:5803



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% Date of decision: 18.07.2025

+ CRL.REV.P. 109/2025

PRAMOD KUMAR

.....Petitioner

Through: Petitioner is present through  
CJ-02, Tihar through vc  
Mr. Adv. (appearance not  
given)

versus

STATE N.C.T OF DELHI

.....Respondent

Through: Mr. Hitesh Vali, APP for the  
State with ASI Om Prakash,  
P.S.Sarai Rohilla.

**CORAM:-****HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT (ORAL)****RAVINDER DUDEJA, J.****CRL.M.A. 9423/2025 DELAY 8 DAYS IN FILING OF  
PETITION.**

Bearing in mind the reasons explained in the application, delay  
of 8 days in filing the petition is condoned.

The application stands disposed of.

**CRL.REV.P. 109/2025 & CRL.M.A. 9424/2025 STAY**

1. Revisionist has filed the revision petition seeking to set aside  
the order dated 12.12.2024, passed by the learned Additional Sessions



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Judge, Central as well as the judgment dated 23.12.2019, passed by learned Metropolitan Magistrate, Central.

2. The case of the prosecution, in brief, is that on 08.07.2008 at about 5.00 am, truck bearing No. HR38-3960, driven by the revisionist in a rash and negligent manner, hit motorcycle bearing No. DL8S-AN-2883 from behind, thereby, causing injuries to Om Prakash and Neelam, whereas, Saroj was dragged by the truck and she died at the spot.

3. FIR bearing No. 168/2008 was registered at Police Station Sarai Rohilla and upon completion of investigation, charge sheet was filed against the revisionist. After compliance of Section 207 Cr. PC, charges under Section 279/337/304-A IPC and under Section 3/181 M.V. Act were framed against the revisionist. Revisionist pleaded not guilty and claimed trial.

4. Vide judgment dated 23.12.2019, revisionist was convicted by the trial court under Section 279/337/304-A IPC and under Section 3/181 M.V. Act. Vide order dated 08.03.2022, he has been sentenced with simple imprisonment for a period of 4 months for commission of offence under Section 279 IPC. Further, convict is also sentenced with simple imprisonment for a period of 4 months under Section 304-A IPC. He is further sentenced with a fine of Rs. 500/- for the offence under Section 3/181 M.V. Act. Cost of Rs. 9500/- was also imposed on the revisionist, to be appropriated towards the cost incurred by the State.



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5. Aggrieved by the said judgment of conviction and order on sentence, revisionist preferred a criminal appeal before the Sessions Court. By its judgment dated 12.12.2024, the Sessions Court dismissed the appeal.

6. During the pendency of the petition, learned counsel for the revisionist submitted before the court that revisionist does not want to challenge the judgment of conviction and that present revision petition may be treated as prayer for reduction of the remaining sentence. In this regard, the affidavit of the Pairokar of the revisionist has also been placed on record.

7. Warrants were issued for the production of the revisionist, who is presently serving sentence in jail. He appeared through VC and confirmed that he does not want to challenge the judgment of conviction but prayed for reduction for his remaining sentence.

8. Learned counsel, who appears for the revisionist, submits that revisionist is the first time offender, being not involved in any other criminal case. The maximum substantive imprisonment awarded to him is of 4 months for the offence under Section 279/304-A IPC. The sentence awarded under both the offences has been ordered to run concurrently and out of 4 months period, he has already served the sentence for more than 3 months. He further submits that revisionist is a young man and the only bread-earner of his family, comprising of five members. He faced the agony of trial for about ten years. He prays for a lenient view.



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9. The VIR and Verification Report, sent by learned Secretary, DLSA before the trial court, confirms that the entire family of the revisionist is dependent upon his earning and family of the deceased and injured have been granted sufficient compensation by the MACT Court. The order reflects that revisionist has deposited the cost and fine imposed by the trial court.

10. Keeping in view the aforesaid facts and circumstances, the Court is of the view that revisionist has already undergone sufficient punishment and no useful purpose shall be served by keeping him in jail for the remaining period of sentence. Accordingly, while maintaining the judgment of conviction against the revisionist, the sentence is reduced to the period already undergone by him in custody till date.

11. Revision petition accordingly stands disposed of.

12. Copy of the order be sent to the concerned Jail Superintendent for information and necessary compliance.

**RAVINDER DUDEJA, J.**

**JULY 18, 2025**

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