

ITEM NO.30

COURT NO.4

SECTION IIB

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.).....
CRL.M.P. 13513/2016

(Arising out of impugned final judgment and order dated 22/02/2010
in CRLR No. 1497/2003 passed by the High Court of Punjab & Haryana
at Chandigarh)

ABDUL SHARIF

Petitioner(s)

VERSUS

STATE OF HARYANA

Respondent(s)

(With appln. (s) for c/delay in filing SLP)

Date : 26/08/2016 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE C. NAGAPPAN

For Petitioner(s) Mr. Abhishek, AOR
Mr. Nimit Mathur, Adv.

For Respondent(s) Mr. Maninder Singh, ASG

UPON hearing the counsel the Court made the following
O R D E R

Though we do not find any merit in this special
leave petition and it should have seen the end today, yet we
have kept it alive as we have something to say.

In State of Punjab vs. Saurabh Bakshi (2015) 5 SCC
182, this Court has observed thus:

"Before parting with the case we are compelled
to observe that India has a disreputable record
of road accidents. There is a nonchalant

attitude among the drivers. They feel that they are the "Emperors of all they survey". Drunkenness contributes to careless driving where the other people become their prey. The poor feel that their lives are not safe, the pedestrians think of uncertainty and the civilized persons drive in constant fear but still apprehensive about the obnoxious attitude of the people who project themselves as "larger than life". In such obtaining circumstances, we are bound to observe that the lawmakers should scrutinise, relook and revisit the sentencing policy in Section 304-A IPC. We say so with immense anguish."

We have said that Section 304-A IPC should be revisited so that higher punishment can be provided. The aforesaid passage clearly indicates that punishment provided under Section 304-A is absolutely inadequate. We are absolutely conscious, as the aforesaid would convey, it is up to the Parliament. However, we would like to hear the learned Attorney General for India on this score. Mr. Maninder Singh, learned Additional Solicitor General, who is present in the Court, submits the he will apprise the learned Attorney General to assist the Court.

Let the matter be listed on 30th August, 2016.

(Chetan Kumar)
Court Master

(Shakti Parkash Sharma)
Court Master