

**106(11 cases) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Date of decision : 06.10.2015

1. Criminal Revision No. 3261 of 2015

Mandeep Singh Petitioner

versus

Harminder Singh Respondent

2. Criminal Revision No. 3262 of 2015

Mandeep Singh Petitioner

versus

Harminder Singh Respondent

3. Criminal Revision No. 3263 of 2015

Mandeep Singh Petitioner

versus

Harminder Singh Respondent

4. Criminal Revision No. 3264 of 2015

Mandeep Singh Petitioner

versus

Harminder Singh Respondent

5. Criminal Revision No. 3265 of 2015

Mandeep Singh Petitioner

versus

Harminder Singh Respondent

6. Criminal Revision No. 3266 of 2015

Mandeep Singh

..... Petitioner

versus

Harinder Singh

..... Respondent

7. Criminal Revision No. 3174 of 2015

Harinder Singh

..... Petitioner

versus

Mandeep Singh

..... Respondent

8. Criminal Revision No. 3178 of 2015

Harinder Singh

..... Petitioner

versus

Mandeep Singh

..... Respondent

9. Criminal Revision No. 3181 of 2015

Harinder Singh

..... Petitioner

versus

Mandeep Singh

..... Respondent

10. Criminal Revision No. 3235 of 2015

Harinder Singh

..... Petitioner

versus

Mandeep Singh

..... Respondent

11. Criminal Revision No. 3246 of 2015

Harinder Singh

..... Petitioner

versus

Mandeep Singh

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr.Yogesh Goel, Advocate for petitioner Mandeep Singh and Mr.Chandra Kumar Jha for respondent Harminder Singh in CRR Nos. 3261 to 3266 of 2015.

Mr. Chandra Kumar Jha , Advocate for petitioner- Harminder Singh and Mr.Yogesh Goel, Advocate for respondent Mandeep Singh in CRR Nos. 3174, 3235, 3181, 3178 and 3246 of 2015.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

These are 11 revision petitions. Since matter to be decided in all the cases is common involving common questions of law and fact, all are being disposed of by this common order.

Mandeep Singh had taken a loan from Harminder Singh and had sought to repay it by way of six cheques given on different dates total amounting to R. 3.5 lacs. The cheques having bounced, six notices were issued and in the absence of any response six complaints were filed . All the six complaints were allowed and Mandeep Singh was sentenced to imprisonment for six months and benefit of Section 427 Cr.P.C. was denied to him. Both parties filed appeals with Mandeep Singh praying for acquittal and Harminder Singh praying for enhancement of sentence. Both sets of appeals having been dismissed, the parties are before this Court.

Learned counsel for Mandeep Singh has not challenged the conviction on merit but argued that the offences forming part of the same transaction, he was entitled to an order declaring the sentences to run concurrently. On the other hand learned counsel for Harminder Singh has claimed that Mandeep Singh has defrauded his client who is himself a poor man having suffered huge prejudice. Learned counsel for Mandeep Singh has argued that had the Court taken recourse to

Section 219/220 of the Cr.P.C. petitioner(Mandeep Singh) would have been given one sentence and in any case even if this recourse was not to be taken, the present was a case where Section 427 Cr.P.C. should have been applied.

In my opinion the interest of justice would be met if the sentence in each of the cases is enhanced to one year and it is directed that all of them would run concurrently.

Petitions stand disposed of in the above terms.

(AJAY TEWARI)
JUDGE

October 06 , 2015
sunita