

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APL) NO.287/2017

Kishor s/o Sukhdev Jivtode ..vs.. The State of Maharashtra through PSO P.
S. Wadi, Nagpur, Dist. Nagpur.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. R. P. Thote, Advocate appointed for the applicant.

CORAM : V.M. DESHPANDE, J.

DATED : JULY 28, 2017

Heard Mr. Thote, learned appointed counsel
for the applicant.

This is an application under Section 482 of
the Cr. P. C. The application is moved before this Court
with following prayers:

*(i) Allow this application and sentences
passed vide judgment dated 02.01.2013 by Judicial
Magistrate First Class (Corporation Court No.2),
Nagpur in R.C.C. No. 593/2009 and 594/2009 and
also the sentences passed by Chief Judicial
Magistrate, Central Prison, Nagpur vide judgment
dated 05.01.2013 in R.C.C. No. 1396/2012,
1509/2012, 1510/2012, 590/2009, 591/2009
and 592/2009 be directed to run concurrently in
the interest of justice.*

*(ii) Further be pleased to consider the period
already undergone by the applicant to be the total*

sentence suffered for the convictions in R.C.C.No.593/2009 and 594/2009 by learned Judicial Magistrate First Class (Corporation Court No.2), Nagpur and convictions passed by Chief Judicial Magistrate, Central Prison, Nagpur vide judgment dated 05.01.2013 in R.C.C.No1396/2012, 1509/2012, 1510/2012, 590/2009, 591/2009 and 592/2009 by making it concurrent in the interest of justice.

According to the learned counsel for the applicant, the sentences imposed upon the applicant shall run concurrently as provided in Section 31 of the Cr. P. C. The prayer clause shows that the applicant was convicted in different trials in respect of the difference offences committed during the different period of time.

In that view of the matter, Section 31 of the Cr.P.C. has no application. There is no merit in the present application. The same is, therefore, rejected.

Professional charges of Mr. R. P. Thote, learned appointed counsel are quantified at Rs.1500/-.

JUDGE