

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9551-2016 (O&M)

Date of decision: 04.10.2017

Pohlu Ram

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: None for the petitioner
Mr.Pawan Garg, Assistant Advocate General, Haryana

- 1. Whether Reporters of Local Newspapers 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?*

Kuldip Singh, J. (Oral)

Lower Court record perused.

Learned counsel for the petitioner has not appeared despite notice. The present petition is for directing the substantive sentence passed by two different Courts on different dates to run concurrently. It is stated that the petitioner was convicted and sentenced for life imprisonment along with fine of Rs.50,000/- and in default to further undergo Rigorous Imprisonment for 3 years under Section 302 IPC and Rigorous Imprisonment for 6 months under Section 148 IPC vide judgment dated 27.7.2007 passed by learned Additional Sessions Judge, Kaithal. Both the sentences were directed to run concurrently. The petitioner was also convicted under Section 452 IPC and Section 392 IPC read with Section 34 IPC and sentenced to undergo Rigorous Imprisonment for two years and fine of Rs.250/- and in default to further undergo Rigorous Imprisonment

for 15 days under Section 452 IPC and Rigorous Imprisonment for five years and fine of Rs.500/- and in default to further undergo Rigorous Imprisonment for 1 month under Section 392 IPC read with Section 34 IPC vide judgment of conviction dated 17.12.1999 and order of sentence dated 22.12.1999 passed by learned trial Court. Sentences were directed to run concurrently. The appeal was dismissed by this Court vide judgment dated 22.7.2013.

I am of the view that two different offences were committed on different dates. Appeals have already been dismissed. No prayer was made in any of the appeals that sentences should order to run concurrently. Therefore, after the decision has become final in the exercise of powers under Section 482 read with 427 Code of Criminal Procedure, this Court cannot order the concurrent running of sentences.

The present petition is dismissed accordingly.

04.10.2017

gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:	Yes
Whether Reportable:	No