

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRR No.3472 of 2015

Date of decision: 25.09.2017

Harminder Singh

....Petitioner

Versus

Mandeep Singh

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Chandra Kumar Jha, Advocate
for the petitioner.

Mr. Yogesh Goel, Advocate
for the respondent.

ARVIND SINGH SANGWAN J. (Oral)

The parties are *ad idem* that total 12 criminal revision petitions were filed before this Court, out of which 11 criminal revision petitions were taken up by the Co-ordinate Bench of this Court on 06.10.2015 and the following order was passed in the said petitions:-

“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.”

In view of the above, this petition is also disposed of in the same terms as per order dated 06.10.2015.

(ARVIND SINGH SANGWAN)
JUDGE

25.09.2017

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No