

201 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision : 16.12.2017

CRR No. 2808 of 2017 (O/M)
Harjinder Singh

..... Revisionist

Versus

Suchitra Gagneja

..... Respondent

CRR No. 3670 of 2017 (O/M)
Harjinder Singh

..... Revisionist

Versus

Suchitra Gagneja

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. G.S. Chhina, Advocate, (Legal Aid Counsel),
for revisionist in both cases.
Mr. Snehdeep Oberoi, Advocate,
for respondent in both cases.

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

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KULDIP SINGH J. (ORAL)

Custody certificates in both cases filed in Court today and same are taken on record.

This order will dispose of abovenoted revisions i.e. CRR-2808-2017 and CRR-3670-2017, as the transaction was between the same parties.

It comes out that revisionist-accused, in order to discharge liability, issued two cheques No.521566 and 521575, both dated 20.10.2011, for Rs. 62,750/- and Rs. 2,25,000/-, respectively, drawn on Punjab National Bank, Abohar Branch. Both the cheques were dishonoured. Complainant filed two separate complaints under Section 138 of the Negotiable

CRR No. 2808, 3670 of 2017 (O/M)

Instruments Act, 1881, which came to be decided by the learned Judicial Magistrate 1st Class, Abohar, on the same date i.e. 13.8.2015.

Revisionist was convicted in both the cases. In the first complaint, he was sentenced to undergo rigorous imprisonment for six months and to pay fine of Rs. 3000/-, in default thereof, to further undergo rigorous imprisonment for one month. In second case, revisionist was sentenced to undergo rigorous imprisonment for one year and to pay fine of Rs. 5000/-, in default thereof, to further undergo rigorous imprisonment for two months. As per custody certificate, fine is reported to have been paid in this case.

The short prayer of learned counsel for revisionist in both the cases is that it was one financial transaction between the same parties. Therefore, substantive sentence should be ordered to run concurrently.

In these circumstances, both the revisions are allowed to the extent that substantive sentence passed in both the complaint cases shall run concurrently from the date of start of first sentence. The remaining part of sentence is maintained. He be released forthwith, if he has completed sentence in these two cases and not required in any other case.

With the abovenoted modification in sentence, revisions are dismissed.

(KULDIP SINGH)
JUDGE

16.12.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No