

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-960 -2017 (O&M)
Date of decision: 25.07.2017

Jawahar Jyoti

.....Petitioner

versus

Mohinder Pal Mehta and another

.....Respondents

CRR-961 -2017 (O&M)

Jawahar Jyoti

.....Petitioner

versus

Mohinder Pal Mehta and another

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldeep Singh

Present: Mr.Puneet Sharma, Advocate for
Mr.Sandeep Arora, Advocate for the petitioner
Mr.Prateek Pandit, Advocate for the respondent no.1
Mr.Davinder Bir Singh, Deputy Advocate General, Punjab

- 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?*

Kuldeep Singh, J. (Oral)

By this common judgment, I shall dispose of two revisions bearing CRR No.960 of 2017 and CRR No.961 of 2017.

Vide order dated 16.5.2017, this Court issued notice of motion on the limited question as to whether sentence in two separate cases is to run concurrently while noticing that two cheques were issued in discharge of same liability.

Heard.

Perusal of judgments of both the Courts below shows that the accused

petitioner issued two cheques bearing nos.349210 and 349211 on the same day i.e. 06.01.2013 for Rs.50,000/- each in discharge of the liability. The cheques were later on dishonoured with remarks “Funds insufficient”. The trial Court after considering the evidence, sentenced the petitioner to undergo Rigorous Imprisonment for eight months and also ordered him to pay compensation of Rs.50,000/- at the rate of 9% p.a. From the date of cheque till date in each case.

I am of the view that number of the cheques shows that two cheques were issued on the same day for discharge of the same liability. Therefore, the plea on which the notice of motion was issued is accepted and substantive sentences passed in both the cases i.e. Complaint Case No. Nact/31822/2013 and Complaint Case No. Nact/31824/2013 decided on 7.9.2016 by the learned Judicial Magistrate First Class, Jalandhar and affirmed by learned Additional Sessions Judge, Jalandhar vide judgment dated 16.2.2017 are ordered to run concurrently.

Both revisions stand disposed of accordingly.

A copy of the order be placed on the connected case file.

25.07.2017

gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:	Yes
Whether Reportable:	No