

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-37481-2018 (O&M)  
Date of Decision:-21.11.2018

Gurjit Singh @ Goldy and another ... Petitioners  
Versus

State of Punjab ... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Nandan Jindal, Advocate for the petitioners.

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**GURVINDER SINGH GILL, J.**(Oral)

By way of filing this petition, the petitioners seek issuance of directions so that the sentences imposed upon the petitioners in respect of offences under Sections 201, 382 and 34 of Indian Penal Code, 1860 may run concurrently.

I have heard the learned counsel for the petitioners.

The petitioners were tried by the Court of learned Sub-Divisional Judicial Magistrate, Sunam and were held guilty for having committed offences punishable under Sections 201/382/34 of Indian Penal Code, 1860 and also imposed the sentences as under:-

| Under Section                                                                                                             | (R.I.) Rigorous Imprisonment for a period of | Fine Rupees | In default of fine R.I. for a period of | Whether fine paid in trial court? |
|---------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|-------------|-----------------------------------------|-----------------------------------|
| 201 of IPC                                                                                                                | Six Months                                   | —           | —                                       | —                                 |
| 382 of IPC                                                                                                                | Two Years<br>Nine Months                     | ₹500/-      | Three Months                            | —                                 |
| The period of custody already undergone in this case, if any, shall be set forth with the period of substantive sentence. |                                              |             |                                         |                                   |
| Fine has been paid in the trial court on 22.04.2015.                                                                      |                                              |             |                                         |                                   |

The petitioners challenged the aforesaid judgment by way of filing an appeal. However, the said appeal was also dismissed by the learned

Additional Sessions Judge, Sangrur vide his judgment dated 6.3.2017. Thereafter, the petitioners preferred a revision before this Court i.e. CRR-1135 of 2017, which was also dismissed by way of passing a speaking order.

In view of the aforesaid position, when the matter has already been examined at length by a Co-ordinate Bench of this Court and wherein it was open to the petitioners to have raised submissions regarding sentence including running of the sentences concurrently in respect of both the offences, in my opinion, the present petition is not maintainable and infact is in the nature of review, which is impermissible. The petition, as such, is dismissed.

**21.11.2018**

pankaj

**(Gurvinder Singh Gill)**  
**Judge**

Whether speaking /reasoned                      Yes / No

Whether Reportable                                  Yes / No