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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(CRL) 3520/2017

RAM KUMAR

..... Petitioner

Represented by: Mr. Saurabh Kansal, Advocate
for Ms. Pallavi S. Kansal.

versus

STATE

..... Respondent

Represented by: Mr. Sanjay Lao, Additional
Standing Counsel for the State
with SI Santosh Kumar, PS
Pandav Nagar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

01.08.2018

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1. By this petition, the petitioner seeks directions that sentences in two conviction, that is, in FIR No.374/1993 under Section 376/450 IPC registered at PS Trilok Puri and FIR No.123/2013 under Sections 365/34 IPC registered at PS Karawal Nagar be directed to run concurrently.
2. In FIR No.374/1993 registered at PS Trilok Puri the petitioner has been awarded rigorous imprisonment for a period of seven years with a fine of ₹2,000/- for offence under Section 376 IPC and rigorous imprisonment for a period of five years with fine of ₹1,000/- for offence punishable under Section 450 IPC.
3. In FIR No.123/2013 registered at PS Karawal Nagar vide the judgment dated 17th October, 2015 and order on sentence dated 18th November, 2015 the petitioner has been awarded sentence of rigorous

imprisonment for a period of four years with a fine of ₹10,000/- in default to undergo simple imprisonment for a period of six months for offence punishable under Sections 365/34 IPC.

4. The primary ground on which the petitioner prays that his sentences be directed to run concurrently is that he has faced the trial for an unduly long period of time.

5. Admittedly the petitioner was declared a proclaimed offender in FIR No. 374/1993 and could be arrested only after a period of 14 years. Thus the delay, if any, in the trial is all on account of the petitioner absconding.

6. Thus this court finds no ground to direct that the sentences pursuant to the two convictions as noted above be directed to run concurrently.

7. Petition is dismissed.

8. Copy of the order be communicated to the petitioner through Superintendent, Mandoli Jail.

MUKTA GUPTA, J.

AUGUST 01, 2018

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