

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

116

CRM-M-3060-2020 (O&M)
Date of decision: 16.05.2022

POOJA SHARMA

....Petitioner(s)

Versus

JYOTI SEHGAL AND ANR

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present : Mr. Gaurav Grover, Advocate
for the petitioner.

VINOD S. BHARDWAJ. J. (ORAL)

CRM-8685-2020

The instant application had been filed under Section 482 Code of Criminal Procedure for preponing the main case.

Learned counsel submits that the instant application is rendered infructuous inasmuch as the same was filed in the year 2020.

Application stands dismissed as having been rendered infructuous. However, on the oral request of the learned counsel, the main case is taken up on board today itself.

CRM-M-3060-2020

Instant petition had been filed under Section 482 of the Code of Criminal Procedure for seeking issuance of appropriate directions to the trial Courts/Appellate Courts Ferozepur that the substantive sentences awarded to the petitioner should run concurrently in the four cases i.e. Case No.NACT 891/15; NACT 890/15; NACT 886/15 and CRA-3 of 2018.

Learned counsel for the petitioner contends that the petitioner is facing proceedings in four different complaint cases instituted against her for commission of offences under Section 138 of the Negotiable Instruments Act,

1881 and that she has been convicted in the same vide orders dated 21.12.2017 by the Judicial Magistrate First Class, Ferozepur and order dated 23.01.2018 by Additional Sessions Judge, Ferozepur. It is further argued that the appeals against the said judgments are pending before the lower Appellate Court and that the provisions of the Code of Criminal Procedure contemplate the sentences to run concurrently under Section 427 Code of Criminal Procedure. It is thus prayed that this Court may issue a direction to the lower Appellate Court where the appeals against the judgments of conviction are pending to exercise the jurisdiction under Section 427 CrPC and to order concurrent running of the said sentences.

I have considered the arguments advanced by the learned counsel for the petitioner.

Needless to mention that no such direction can be issued to a subordinate Court by a Revisional/Appellate Court to exercise the jurisdiction vested in them in any particular manner. It would be open to the petitioner to move an appropriate application and consideration of any such application shall be done by the concerned Court after passing a reasoned and speaking order.

Petition is thus, accordingly dismissed.

(VINOD S. BHARDWAJ)
JUDGE

May 16, 2022

S.Sharma(syr)

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>