

CRM-M-24517-2022

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24517-2022

Reserved on: 08.08.2022

Pronounced on:20.09.2022

Sunil

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. R.S. Dhull, Advocate
For the petitioner(s).

Mr. Manish Bansal, DAG, Haryana.

ANOOP CHITKARA, J.

1. After conviction in multiple cases and dismissal of their appeals which have attained finality confirming the conviction, the convict has come up before this Court seeking directions that all such sentences should run concurrently under Section 427 CrPC.
2. The petitioner seeks concurrence of sentences in FIR No.212 dated 03.07.1997 wherein, he was convicted under Section 302 IPC and sentenced to undergo life imprisonment. The second conviction is under FIR No.458/01 under Section 386 IPC.
3. Even as per the petitioner, both these convictions were challenged and have attained finality.
4. The petitioner's plea is that once he has been sentenced under life imprisonment then given Section 427(2) CrPC is maintained of subsequent convictions and sentence shall run concurrently.
5. Given above, this is absolute misreading of the provisions of Section 427 CrPC. Once the judgments have attained finality this Court cannot recall such orders under Section 482 CrPC. The appropriate stage for the petitioner was to draw attention of the concerned trial Court at the time of sentencing or also to the concerned Appellate Courts at the time of hearing of his appeals. Once the person has been convicted in multiple trials and judgments have attained finality and he does not seek concurrence at the time of hearing in such later trials or appeals at a later stage. Interference by this Court under Section 482 CrPC would have no bar to exercise such powers under Section

CRM-M-24517-2022

362 CrPC. **Consequently, the present petition is not maintainable and the same is dismissed. Pending applications, if any, stand disposed of.**

(ANOOP CHITKARA)
JUDGE

20.09.2022
anju rani

Whether speaking/reasoned: Yes
Whether reportable: No.