



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

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CRM-M-24607-2024 (O&M)

Date of decision : 06.04.2026

Satnam Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Argued by : Mr. L.M. Gulati, Advocate for the petitioner.

Mr. Jasdev Singh Thind, DAG Punjab.

SURYA PARTAP SINGH, J.

This petition under Section 482 of 'Code of Criminal Procedure', hereinafter being referred to as 'CrPC' only, has been filed for issuance of direction to the effect that the sentence awarded to the petitioner in a case arising out of FIR No.153 dated 03.09.1998, under Section 399 of Indian Penal Code, Section 25 of Arms Act and Section 5 of Explosive Act, Police Station Civil Lines Patiala, shall run concurrently.

2. The instant petition has been filed in the backdrop of the fact that vide abovementioned FIR, the petitioner was sent to face trial by the SHO Police Station Civil Lines Patiala. The abovementioned trial was held in the Court of learned Additional Sessions Judge (*Ad hoc*) Patiala, hereinafter being referred to as 'trial Court' only. The learned trial Court

vide judgment dated 29.11.2002 convicted the petitioner and awarded the following sentence:-

Under Section	Punishment	Fine
Sections 399/149 of IPC	To undergo rigorous imprisonment for three years	
Section 25 of Arms Act	To undergo rigorous imprisonment for one year	Rs.20,000/-

3. Aggrieved of the abovementioned judgment, the petitioner along with his co-convicts filed an appeal in this Court, which was dismissed on 24.01.2013. As a result thereof, the sentence awarded to the petitioner by the learned trial Court has been maintained.

4. The present petition has been filed by the petitioner on the ground that the learned trial Court has committed an error, when it failed to mention that the sentences awarded to the petitioner shall run concurrently. Hence the present petition.

5. Heard.

6. It has been contended by learned counsel for the petitioner that a bare perusal of the order passed by the learned trial Court and the subsequent order, whereby the benefit of bail was awarded to the petitioner by the learned trial Court, itself show that the intention of the learned trial Court while imposing sentence upon the petitioner was that all the sentences, awarded to the petitioner, would run concurrently. As per learned counsel for the petitioner, if the intention of the learned trial Court would have been otherwise, the total period supposed to be undergone by the petitioner would



have been more than three years, and in that eventuality, the learned trial Court could not have released the petitioner on bail after conviction.

7. The learned State Counsel has controverted the abovementioned arguments. According to learned State Counsel, once the appeal has been dismissed by this Court, in the garb of directions, in a petition under Section 482 of CrPC, the relief, which could have been granted by the Appellate Court only, cannot be claimed.

8. The record has been perused carefully.

9. To deal with similar situation, the Full Bench of this Court in the case of ‘Jang Singh V/s State of Punjab’, 2008(1) RCR (CrI)323, has held as under:-

“Direction to make the sentences to run concurrently can be exercised by the trial Court or by the appellate Court or a reversional Court at the time of exercising appellate or revisional jurisdiction as well. It may not be open for a person to seek such direction for making the sentences to run concurrently by moving an application under Section 482 and 427 of Criminal Procedure Code.”

10. With regard to factual matrix of the present case, it shall not be out of place to mention here that the prerogative to issue a direction with regard to concurrent/consecutive imprisonment lies with the Appellate Court only. The Appellate Court with regard to instant case has already passed its verdict and now in the name of directions if the verdict passed by this Court,



in appeal, is interpreted or explained, it will amount to interference into the abovementioned verdict, which is not permissible under the law.

11. Here it shall not be out of place to mention that similar petitions were filed by the co-convicts of the petitioner. Both the petitions were dealt with by two different Courts. However, the petition bearing CRM-M-35350-2015 filed by the co-convict Jang Singh was allowed, whereas the petition bearing CRM-M-8318-2016 filed by the co-convict Harbhajan Singh was dismissed.

12. Since, as per the principles of law laid down in the case of ‘Jang Singh’ (supra), prerogative to issue a direction that the sentences shall run concurrently or consecutively, lies with the Appellate Court/revisional Court only, it is hereby observed that by invoking the extraordinary jurisdiction, any such direction cannot be sought.

13. Taking into consideration the abovementioned observations, it is hereby held that the present petition is devoid of merit and deserves dismissal. The same is hereby *dismissed*, accordingly.

14. Pending miscellaneous application(s), if any, shall also stand disposed of, accordingly.

(SURYA PARTAP SINGH)
JUDGE

06.04.2026
Gaurav Thakur

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No

