HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 3934/2025
CNR: RJHC020543662025 | URN: CRLMP / 9147U / 2025

Trilok Chand S/o Late Shri Hargovind, Aged About 72 Years, R/o Buddha Vihar, Bharatpur (Petitioner Presently Confined At Central Jail Sevar, Bharatpur)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Anurag Chahar, Adv. for Mr. Mukesh Pal Jodoun, Adv.
For Respondent(s)	:	Mr. Vivek Choudhary, PP

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

21/08/2026

1. Heard.

2. The petitioner has been convicted and sentenced for offences punishable under Sections 420 & 406 IPC and Section 138 of NI Act in three cases vide separate judgments, the details whereof are mentioned as below:-

S. No.	Case Number and Title	Date of Judgment and the name of Court passing the judgment	Details of Conviction & Sentence	Appeal
1.	Cr. Case No.178/2018 (State Vs. Trilok Chand Sharma)	06.05.2023, passed by ACJM (PCPNDT) Act Cases, Bharatpur	U/Section 420 IPC - 5 years & 6 months' SI with fine of Rs.20,000/- Under Sec. 406 IPC - 3 years' SI with fine of Rs.10,000/-	Appeal No.20/2023 dismissed
2.	Cr. Case No.1653/2019	30.10.2021, passed by ACJM	U/Section 138 NI Act - 1 year SI with fine of	Appeal No.35/2021

	(Sanjay Kumar Sharma Vs. Trilok Chand Sharma)	No.4, Bharatpur	Rs.12,70,000/-	dismissed
3.	Cr. Case No.4608/2014 (Hira Singh Vs. Trilok Chand Sharma)	07.05.2018, passed by ACJM No.4, Bharatpur	U/Section 138 NI Act - 2 years & 6 months SI with fine of Rs.8,12,500/-	Appeal No.36/2018 dismissed

3. By way of this Criminal Misc. Petition under Section 482 Cr.P.C. R/w Section 427 Cr.P.C. (now Section 528 of BNSS R/w Section 467 of BNSS), the petitioner has prayed that the sentences (referred to above) awarded to him may be ordered to run concurrently.

4. Learned counsel for the petitioner submits that the petitioner is languishing in jail since 06.10.2017 i.e. more than eight years and ten months. Counsel submits that the petitioner has faced trial in 24 cases and maximum sentence imposed was five years and six months, which has already been served by the petitioner. Therefore, in the interest of justice, a direction may issued for concurrent running of aforesaid sentences.

5. Per contra, learned Public Prosecutor vehemently and fervently opposes the submissions made by the learned counsel for the petitioner and submits that learned trial court has passed the orders of sentence by adequate application of mind and as such, no indulgence of this Court's inherent power under Section 482 Cr.P.C. R/w Section 427 Cr.P.C. is required in the instant case.

6. I have heard and considered the submissions advanced at bar and have gone through the material available on record.

7. A report dated 19.082026 has been received from Superintendent of Central Jail, Sriganganagar. According to which,

the petitioner has served the original sentence in all 24 cases and presently, he is serving the default sentence in aforesaid three cases. The said report is taken on record.

8. Taking into consideration the fact that the maximum sentence in one of the case was five years and six months and the fact that the petitioner is languishing in jail for more than eight years and ten months and he has already served the original sentences in all the 24 cases and presently, he is serving the default sentence in aforementioned three cases, this Court deems it fit and proper to exercise the inherent powers under Section 528 of BNSS and in order to secure the ends of justice, allow the instant Criminal Misc. Petition.

9. Accordingly, the instant Criminal Misc. Petition is allowed. The petitioner is in jail for more than eight years and ten months. He be released forthwith, if not warranted in any other case, except the 21 cases in which he has already served the sentence.

10. Pending application(s), if any, also disposed of.

11. Needless to say, the complainants of the cases would be at liberty to initiate proceedings against the petitioner under the provisions prescribed in BNSS/Cr.P.C. for recovery of fine amount.

12. A copy of this order be sent to the trial Court and the concerned Jail authority forthwith.

(ANIL KUMAR UPMAN),J

247/Manoj Solanki