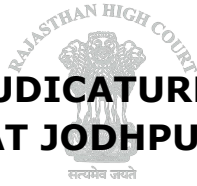


**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**



S.B. Criminal Miscellaneous (Petition) No. 748/2026

CNR: RJHC010086732026

URN: CRLMP / 1317U / 2026

Narayan Lal Dangi S/o Shri Kanna Ji Dangi, Aged About 55
Years, Resident Of Village Bhensrakhurd Ps Dabok District
Udaipur Raj (Presently Lodged In Central Jail Udaipur)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s) : Mr. Shambhoo Singh

For Respondent(s) : Mr. Sameer Pareek, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

14/07/2026

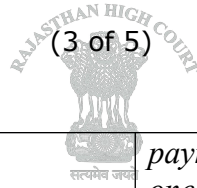
By way of filing the present criminal misc. petition under
Section 528 of BNSS, the petitioner has prayed for the following
relief:-

*"a) It is, therefore, most respectfully prayed that this Misc.
Petition may kindly be allowed and the sentence awarded by the
trial Court vide judgment referred in the table of para no.1 in which
details of case no. and date of judgment and sentences under Section
138 of N.I. Act awarded by different Courts are mentioned, may
kindly be directed to run the substantive sentence of the subsequent
criminal original cases concurrently."*

Briefly stated, the facts necessary for disposal of the present
criminal misc. petition are that the petitioner was tried, convicted
and sentenced by different trial courts for the offences punishable
under Section 138 of the N.I. Act, details whereof is being given
here under:



S. No	Case No:	Court	Date of judgment	Period of Sentence + Fine/compensation
1.	489/2019 (CIS No.4519/201 7	Special Judicial Magistrate, (N.I. Act Cases) No.7, Udaipur	10.10.2024	One year S.I. & Fine of Rs.1,00,000/- and in default of payment of fine further undergo one month Additional S.I.
2.	13148/2015	Special Judicial Magistrate, (N.I. Act Cases) No.3, Udaipur	09.06.2025	One year S.I. & Fine of Rs.4,40,000/- and in default of payment of fine further undergo one month Additional S.I.
3.	13788/2015	Special Judicial Magistrate, (N.I. Act Cases) No.6, Udaipur	22.04.2025	One year S.I. & Fine of Rs.5,00,000/- and in default of payment of fine further undergo one month Additional S.I.
4.	14004/2014	Special Judicial Magistrate, (N.I. Act Cases) No.6, Udaipur	18.02.2025	One year S.I. & Fine of Rs.4,00,000/- and in default of payment of fine further undergo one month Additional S.I.
5.	14111/2014	Special Judicial Magistrate, (N.I. Act Cases) No.1, Udaipur	05.04.2025	One year S.I. & Fine of Rs.6,00,000/- and in default of payment of fine further undergo one month Additional S.I.
6.	10443/2014	Special Judicial Magistrate, (N.I. Act Cases) No.1, Udaipur	05.04.2025	One year S.I. & Fine of Rs.4,80,000/- and in default of payment of fine further undergo one month Additional S.I.
7.	13781/2014	Special Judicial Magistrate, (N.I. Act Cases) No.6, Udaipur	18.02.2025	One year S.I. & Fine of Rs.5,00,000/- and in default of payment of fine further undergo one month Additional S.I.
8.	4290/2017	Special Judicial Magistrate, (N.I. Act Cases) No.3, Udaipur	09.06.2025	One year S.I. & Fine of Rs.4,00,000/- and in default of payment of fine further undergo one month Additional S.I.
9.	8562/2014	Special Judicial Magistrate, (N.I. Act Cases) No.2, Udaipur	03.04.2025	One year S.I. & Fine of Rs.5,50,000/- and in default of payment of fine further undergo one month Additional S.I.
10.	14448/2015	Special Judicial	18.01.2025	One year S.I. & Fine of Rs.5,00,000/- and in default of



		Magistrate, (N.I. Act Cases) No.2, Udaipur		payment of fine further undergo one month Additional S.I.
11.	17017/2015	Special Judicial Magistrate, (N.I. Act Cases) No.6, Udaipur	24.10.2024	One year S.I. & Fine of Rs.9,00,000/- and in default of payment of fine further undergo one month Additional S.I.
12.	9106/2015	Special Judicial Magistrate, (N.I. Act Cases) No.2, Udaipur	18.01.2025	One year S.I. & Fine of Rs.3,50,000/- and in default of payment of fine further undergo one month Additional S.I.
13.	478/2017	Special Judicial Magistrate, (N.I. Act Cases) No.3, Udaipur	09.06.2025	One year S.I. & Fine of Rs.12,30,000/- and in default of payment of fine further undergo one month Additional S.I.
14.	469/2016	Special Judicial Magistrate, (N.I. Act Cases) No.6, Udaipur	24.03.2025	One year S.I. & Fine of Rs.10,00,000/- and in default of payment of fine further undergo one month Additional S.I.
15.	4762/2016	Special Judicial Magistrate, (N.I. Act Cases) No.2, Udaipur	03.04.2025	One year S.I. & Fine of Rs.2,00,000/- and in default of payment of fine further undergo one month Additional S.I.

Learned counsel for the parties fairly conceded that the present case is squarely covered by a decision rendered in the case of **S.B. Criminal Misc. Petition No.2883/2014 (Rajendra Kabra vs. State of Rajasthan)** decided on **17.02.2017** wherein, a coordinate Bench of this Court was pleased to hold as under:

“Having considered the facts and circumstances of the present case, offence involved, sentences awarded, period of detention of the petitioner as on date and the law laid down by the Hon’ble Supreme Court in **State of Punjab vs. MadanLal, V.K.Bansal vs. State of Haryana & Ors., Shyam Palvs. Dayawati Besoya & Anr. and Ammavasai & Anr. vs. Inspector of Police & Ors.** (supra), I am of the considered view that it would not be inconsistent with the administration of criminal justice if the petitioner is allowed the benefit of discretion contained in section 427 of the Code to meet the ends of justice. However, as per the law laid down by the Hon’ble Supreme Court in V.K. Bansal vs. State

of Haryana & Ors. and Shyam Pal vs. Dayawati Besoya & Anr. (supra), the direction for concurrent running of sentences would be limited only to the substantive sentences alone.

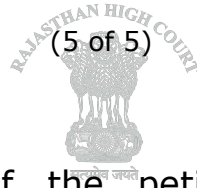
In such circumstances, the present misc. petition is allowed and it is ordered that the substantive sentences awarded to the petitioner in the above referred 32 cases would run concurrently, however, the petitioner will have to serve default sentences as the provisions of section 427 of the CrPC do not permit a direction for concurrent running of substantive sentences with the sentences awarded in default of payment of fine/compensation. The sentences, which the petitioner has been directed to undergo in default of payment of fine/compensation shall not be effected by this direction and if the petitioner has not paid the fine/compensation as directed by the trial courts, the said sentences would run consecutively. Needless to say, if the petitioner pays the fine/compensation now, he is not required to undergo default sentences(sentences awarded by the trial courts in default of payment of fine/compensation)."

Having considered the joint submission made by the parties at bar, this Court is of the opinion that since all the cases against the petitioner pertain to offence under Section 138 of the Negotiable Instruments Act, therefore, the aforesaid precedent law is applicant in the present case.

The present criminal misc. petition is accordingly allowed, in terms of the above mentioned judgment passed in the **Rajendra Kabra** (Supra).

Accordingly, all the substantive sentences awarded to the petitioner-Narayan Lal Dangi S/o Shri Kanna Ji Dangi (*Criminal Regular Cases Nos.* 489/2019 (CIS No.4519/2017), 13148/2015, 13788/2015, 14004/2014, 14111/2014, 10443/2014, 13781/2014, 4290/2017, 8562/2014, 14448/2015, 17017/2015, 9106/2015, 478/2017, 469/2016 and 4762/2016 respectively, are ordered to run concurrently.

However, the sentences of fine and the sentences in default of payment of fine/compensation imposed upon the petitioner



shall not be affected. If the petitioner has not paid the fine/compensation as directed by the learned trial Court, the said sentences would run consecutively. Needless to say, if the petitioner pays the fine/compensation now, he is not required to undergo the default sentences (sentences awarded by the learned trial Court in default of payment of fine/compensation).

All pending applications are accordingly disposed of.

(BALJINDER SINGH SANDHU),J

149/Deepak/669