

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

Crl. Misc. No. M-3038 of 2011

DATE OF DECISION: 30.03.2011

Abid Mohammad

.....Petitioner

Versus

U.T., Chandigarh

.....Respondent

**BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY**

Present:- Mr. P.K. Khindria, Advocate  
for U.T., Chandigarh.

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**DAYA CHAUDHARY, J.**

A representation by post was received by this Court, which was treated as petition under Section 482 Cr.P.C.

Notice of motion was issued on 10.2.2011.

In response thereto, reply on behalf of U.T., Chandigarh has been filed, which is on record.

Learned counsel for U.T., Chandigarh submits that during the stay in jail, the petitioner was further convicted in case FIR No. 17 dated 22.1.2004 under Sections 223/224/452/457/217/221/120 IPC by Chief Judicial Magistrate, Chandigarh vide its judgment dated 11.11.2009 and sentence for two years RI, which was to commence at the expiry of the imprisonment in the previous case. Learned counsel further submits that the imprisonment in the previous case expired on 1.2.2010 and the subsequent imprisonment in case FIR No. 17 commences from 2.2.2010 and the petitioner shall be entitled to be released from jail on his

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completion of two years RI.

In view of the above, there is no merit in the petition and the same is dismissed accordingly.

March 30, 2011  
pooja

**(DAYA CHAUDHARY)**  
**JUDGE**