

Shyam Lal Vs. State of H.P.

Cr. Revision No. 459 of 2025

Reserved on: 14.8.2025

22.8.2025 Present: Mr. R.K. Gautam, Senior Advocate, with M/s Jai Ram Sharma and Sahil Dixit, Advocates, for the petitioner.

Mr. Jitender Sharma, Additional Advocate General, for the respondent-State.

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Records of the learned Courts below be requisitioned within four weeks and list the matter thereafter.

Cr.MP No.3512 of 2025.

Heard.

Learned Trial Court convicted the accused for the commission of offences punishable under Sections 409, 420, 467, 468 and 471 of the Indian Penal Code (IPC) based on the allegation that the accused was Secretary of Reya Co-operative Agricultural Service Society Ltd. He created forged loan accounts and misappropriated the money for his own use and made fraudulent entries in the record of the Society.

Prima facie, the offences punishable under Sections 409 and 420 of IPC cannot be committed in a same transaction. (Please see *Roshni Devi and another Vs. State of H.P. and another 2025:HHC:21851*).

Keeping in view the fact that the revision raises a jurisdictional error and is not likely to be heard at the

earliest as so many revisions are pending for its disposal, therefore, operation and execution of the substantive sentence of imprisonment imposed by learned Trial Court vide order dated 31.8.2018 is ordered to be suspended till further orders, subject to his furnishing personal bond in the sum of ₹25,000/- (Rupees Twenty Five Thousand) with one surety in the like amount to the satisfaction of learned Trial Court and to deposit of the fine amount, if not deposited earlier within one month from today with an undertaking to appear and serve sentence, in case of dismissal of the present revision.

The bail bonds, so furnished by the applicant/petitioner be transmitted to this Court for placing them on record.

A copy of this order be sent to the learned Trial Court for information.

(Rakesh Kainthla)
Judge

22nd August, 2025
(Chander)