

SUPREME COURT OF INDIA**Bench: Justices B.R. Gavai and Aravind Kumar****Date of Decision: December 11, 2023**

WRIT PETITION (CRIMINAL) NO.432 OF 2022

Amanat Ali**.... Petitioner****Versus****State of Karnataka and others****.... Respondents****Sections, Acts, Rules, and Article mentioned in the judgment:**

Article 142 of the Constitution of India

Subject of the Judgment: Consolidation of FIRs registered in different states for a fair and speedy trial.**Headnotes .**

Writ Petition (Criminal) – Consolidation of FIRs – Petitioner seeking consolidation of multiple FIRs registered in different states – Contention that cases are unrelated and should be consolidated for a fair and speedy trial – Disagreement by Respondents – Examination of pending cases – Decision to consolidate FIRs registered in the State of Madhya Pradesh – Transfer of cases to the District of Devas, Madhya Pradesh – Jurisdictional courts directed to take immediate steps for consolidation and adjudication by one trial – Rejection of transfer of cases from Karnataka and Jharkhand to Madhya Pradesh. [Para 1-7]

Referred Cases with Citations and Representing Advocates:

SATINDER SINGH BHASIN V/S THE STATE OF UTTAR PRADESH & ANR.

Writ Petition (criminal) No. 197 of 2021

Amish Devgan vs. Union of India & Ors. WRIT PETITION (CRIMINAL) NO.

160 OF 2020

ABHISHEK SINGH CHAUHAN V/S UNION OF INDIA & ORS. In WRIT

PETITION (CRIMINAL) NO. 40 of 2022

J U D G M E N T

Aravind Kumar, J.

1. By way of this writ petition, the petitioner has sought for the following relief:

“Consolidate/Club all the FIRs (i) FIR No. 324/2017, 406/420/120 (B) IPC and 4/6(1)/6(2) M.P. Act, Dewas, M.P., (ii) FIR No. 479/2018, 420/34 IPC, Indore, M.P., (iii) FIR No. 283/2020, 420/34 IPC, Khargone M.P., (iv) FIR No. 002/2021, 420 IPC, Gokul Road, Hubali, Karnataka, (v) FIR No. 090/2021, 406/420/120(B) IPC, Dhadhara, Gumla, Jharkhand registered against the Petitioner in different states at various police stations to the Court of the competent jurisdiction at Guna, Madhya Pradesh where proceedings are pending in the FIR No. 0266/2018, U/S420/407/418/406/409120B/467/468. Section 4/6(1)/6(2) MP investors Interests Act 2000, P.S. Guna Kotwali, District: Guna in the interest of justice.”

2. We have heard Mr. Chandra Prakash, learned counsel appearing for the petitioner and Mr. Yashraj Singh Bundela, learned counsel appearing for Respondent No.2 and Ms. Pragya Baghel, learned counsel appearing for Respondent No.3.
3. Learned counsel appearing for the petitioner has contended that petitioner being aged 60 years has been foisted with several cases in the States of

Madhya Pradesh, Karnataka and Jharkhand for similar offences and he was never appointed as the Director of the company – G. Life India Developers and Colonizers Limited. Contending that the prosecution initiated is in relation to the fraud/scam committed by the company and petitioner is in way concerned with same. It is also contended, for the purposes of speedy and fair trial and to avoid multiplicity of proceedings it would be in the best interest of all that cases pending in various States be consolidated and posted to the court of a competent jurisdiction at Guna, Madhya Pradesh. Hence, relying upon the following judgments he prays that this petition be allowed:

“1. SATINDER SINGH BHASIN V/S THE STATE OF UTTAR PRADESH & ANR.” Writ Petition (criminal) No. 197 of 2021

2. *Amish Devgan vs. Union of India & Ors*” WRIT PETITION (CRIMINAL) NO. 160 OF 2020

3. ABHISHEK SINGH CHAUHAN V/S UNION OF INDIA & ORS.” in WRIT PETITION (CRIMINAL) NO.40 of 2022”

4. Per contra, learned counsel appearing for the respondent Nos.2 and 3 would contend that complainant(s)/witnesses are different in each of the cases and they cannot be penalized for having lodged the prosecution by making them to travel all the way either from Karnataka or from Jharkhand to the State of Madhya Pradesh and each case having been registered by the jurisdictional police on the basis of individual cause of action it would not be apt and appropriate to transfer all the cases to one court as sought for by the petitioner and hence, they have prayed for rejection of the petition.
5. Having heard learned counsel for the parties and on perusal of the pleadings we notice that following cases are pending against the petitioner in the States of Madhya Pradesh, Karnataka and Jharkhand:

Sl. No.	FIR No.	Under Section	Police Station	District/ Station	Status of Bail	Status of Trial	Charge-sheet filed or not
1	324/2017	406/420/120B IPC and 4/6(1)/6(2) M.P. Act	Bank Note Press	Dewas, M.P.	On Bail		Filed
2	266/2020	406/409/416/417/420/ 467/468/120B IPC and 4/6(1),6(2) M.P. Act	Guna M.P.	Guna M.P.	Not on Bail	Charges framed	Filed
3	479/2018	420/34 IPC	MIG Colony	Indore, M.P.	Non on Bail		Filed
4	283/2020	420/34 IPC	Un	Khargone M.P.	Non on Bail	Not produced	Not filed
5	002/2021	420 IPC	Gokul Road	Hubali, Karnataka	Non on Bail	Not produced	Not filed
6	090/2021	406/420/120B IPC	Dhadhara	Gumla Jharkhand	Non on Bail	Trial not started	Filed

6. The cases noted at Serial Nos.5 and 6 have been registered by the Gokul Road, Hubli, Karnataka Police and Dhadhara, Ghumla, Jharkhand, Police Station, respectively. Whereas the cases at Serial Nos.1 to 4 are registered in the State of Madhya Pradesh and that too by different Police Stations. Suffice to note that first FIR came to be registered by the Police Station Bank Note Press, Madhya Pradesh and three other FIRs have been registered in the District of Guna, Indore and Khargone respectively at Madhya Pradesh. Learned standing counsel appearing for the State of Madhya Pradesh has expressed no objection if these cases are consolidated and listed before one court having jurisdiction. Hence, following the principles laid down in **Amish Devgan v. Union of India and others** (2021) 1 SCC 1 we deem it appropriate to exercise power conferred under Article 142 of the Constitution of India to accede to the relief claimed to the extent of consolidation of the FIRs registered in the State of Madhya Pradesh for being tried together as one trial as far as possible, as we are of the opinion that multiplicity of the proceedings will not be in the larger public interest and State also. It is clarified that all the cases pending in the State of Madhya Pradesh

shall be transferred to the District of Devas, Madhya Pradesh where FIR No.324 of 2017 has been filed and registered against the petitioner or in other words, FIR Nos.266 of 2018, 479 of 2018 and 283 of 2020 shall stand transferred to the District of Devas where FIR No.324 of 2017 is pending. The jurisdictional courts shall take immediate steps to transfer the proceedings for being consolidated and adjudicated by one trial to be decided on its own merits. The prayer for transfer of the cases pending in the States of Karnataka and Jharkhand to the State of Madhya Pradesh stands rejected

7. Accordingly, this writ petition stands disposed of.

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