

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

Crl. Misc. No.M-15261 of 2015 (O&M)

Date of Decision: 02.07.2015

Kiran Pal

.. Petitioner

Vs.

State of Haryana

.. Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present: - Mr. Brijender Kaushik, Advocate
for the petitioner.**

Mr. Gurdas Singh Salwara, DAG Haryana.

ANITA CHAUDHRY, J.

The petitioner was tried in three different FIRs, namely, FIR No. 121 dated 06.07.2005, under Section 409 IPC, FIR No. 201 dated 16.11.2006, under Sections 409 and 420 IPC and FIR No.98 dated 01.06.2006, under Section 409 IPC, registered at Police Station GRP, Ambala Cantonment. After the trial, the petitioner was convicted and sentenced in all the cases vide different judgments dated 21.03.2012, 15.01.2013 and 11.08.2012 respectively.

He filed separate appeal challenging his conviction and sentence, which are said to be pending in two different Courts.

The petitioner filed application seeking transfer of the appeals in one Court for disposal.

Learned Sessions Judge, Ambala has dismissed the application vide order dated 08.12.2014. Dis-satisfied with the same instant petition has been filed by the petitioner.

In the reply filed by the State, it has been averred that all the appeals have arisen out of different judgments pertaining to different FIRs. The Court below rightly rejected the prayer of the petitioner.

I have heard learned counsel for the parties and gone through the paper-book carefully.

Three different FIRs were registered against the petitioner at different point of times with different set of allegations. All the cases were tried separately and perusal of judgments of conviction and sentence, Annexures P-1 to P-3 reveals that the same were decided independently on the basis of separate evidence led by the prosecution in all those cases. In that view of the matter, the plea of the petitioner that there are chances of conflicting judgment, is not sustainable. Only because the petitioner is common appellant in all the three appeals, the same cannot be transferred to one Court for decision. No prejudice is shown to have been caused to the petitioner in case the appeals are decided by different Courts. No ground for interference is made out. Dismissed.

July 02, 2015
Jiten

(ANITA CHAUDHRY)
JUDGE