

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

**CRM-M No.16085 of 2016
Date of Decision: 17.11.2016**

Jafar

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

1. Whether Speaking?	Yes / No
2. Whether Reportable?	Yes / No
3. Whether Reporters of local papers may be allowed to see the judgment?	Yes / No
4. To be referred to the Reporters or not?	Yes / No
5. Whether the judgment should be reported in the Digest?	Yes / No

Present: Mr. Deepanshu Matya, Advocate
for the petitioner.

Mr. Naveen Kaushik, Addl. A.G., Haryana.

None for respondents No.2 to 4 again, despite service.

SUDIP AHLUWALIA J. (ORAL)

Heard the petitioner's side and learned counsel appearing for the State.

In this petition, the petitioner has prayed for a direction upon the Ld. Judicial Magistrate First Class, Hathin, District Palwal to commit the case pending in his Court arising out of FIR No. 20 dated 20.01.2015 to that of the Ld. Additional Sessions Judge, Palwal for being clubbed and heard alongwith the separate case pending in that Court arising out of FIR No.108 dated 08.11.2014.

On comparison of the contents disclosed in two relevant FIRs (Annexures P-3 and P-4), it is seen that the parties involved in the occurrence are the same, the date is identical and the time also more or less coincides.

Ld. Counsel for the petitioner has also drawn attention of this Court to certain statement given by a witness in the case pending in the Court of the Ld. Additional Sessions Judge, Palwal, which also indicates that the two cases are closely interconnected.

For these reasons, this Court is inclined to allow the petitioner's prayer.

Let the case arising out of FIR No.20 dated 20.01.2015 be withdrawn from the Court of the Ld. Judicial Magistrate, First Class, Hathin for trial by the Ld. Additional Sessions Judge, Palwal, to be heard along with the connected version case (FIR No.108 dated 08.11.2014) already pending in that Court.

The present petition is thus disposed of.

(SUDIP AHLUWALIA)
JUDGE

November 17, 2016

rittu