

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39327 of 2014

Arising Out of PS.Case No. -360 Year- 2013 Thana -PANCHRUKHI District- SIWAN

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1. Punam Devi Wife of Dhruv Shankar Singh
 2. Dhruv Shankar Singh Son of Late Birendra Singh Both residents of village - Gopalpur, P.S. - Pachrukhi, District - Siwan
 3. Sheo Pujan Singh Son of Rama Nand Singh Resident of Village - Mohammadpur, P.S. - G.B. Nagar, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar
2. Block Development Officer, Panchrukhi Block, P.S. Panchrukhi, District- Siwan

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rama Kant Sharma, Sr. Advocate
For the State : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date: 01-09-2017

Heard learned counsel for the petitioners and the State.

Despite valid service of notice no one appears for the Opposite Party

No. 2.

Mr. Rama Kant Sharma, Senior counsel appearing on behalf of the petitioners submits that two FIRs with regard to the same incident is not permissible in view of the law laid down by the Apex Court in the case of **T.T.Anthony's case**. However he submits that now after completion of investigation police has submitted charge sheet and in both the cases trial against the petitioners for the same set of fact and allegations are continuing, namely, Pachrukhi P.S. Case No. 272 of 2012 and Pachrukhi P.S. Case No. 360 of 2013 and as such he submits that for the ends of justice, this Court may issue direction for amalgamation of both the cases so that the



petitioners may not be subject to ordeal of two trials at the same time.

Considering the fair submission advanced by learned Senior Counsel appearing for the petitioners and considering the totality of the fact situation, the District and Sessions Judge, Siwan is directed to take steps for amalgamation of both the trial arising out of Pachrukhi P.S. Case Nos. 272 of 2012 and Pachrukhi P.S. Case No. 360 of 2013, if they are pending in the same Court and in case they are pending in different Courts, the District & Sessions Judge is directed to take steps for placing both the cases in the same Court so that both the cases are amalgamated and one common trial is conducted by the court below for expeditious disposal. The Court below is further directed to take step for early disposal of the trial preferably within six months from the date of production of a copy of this order.

With the aforesaid observation, the application stands disposed of.

(Anil Kumar Upadhyay, J)

S.Pandey/-

AFR/NAFR	NAFR
CAV DATE	NA
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