

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

**CRM-M-5021-2017
Date of Decision :08.05.2017**

DEVENDER @ BOBBY

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Jai Bhagwan Sharma, Advocate
for the petitioner.

Mr. Kuldeep Tiwari Addl. Advocate General, Haryana.

AMOL RATTAN SINGH, J. (ORAL)

By this petition transfer of a criminal case from Jind to Hisar, or *vice versa*, is sought by the petitioner, with the case arising at Jind out of FIR No.0628 dated 12.08.2015, registered at Police Station Jind City, Jind, against the petitioner, alleging therein the commission of an offence punishable under Section 379 IPC.

The transfer is sought on the ground that three FIRs, bearing No.518 dated 11.06.2014, 842 dated 12.09.2014 and 1108 dated 23.12.2014, all alleging therein the commission of offences also punishable under Section 379 IPC, stand registered against the petitioner at Police Station City, Hisar, and therefore, all such cases registered against the petitioner be clubbed at one place.

Upon notice having been issued in the petition on 16.02.2017, Mr. Kuldeep Tiwari, Addl. Advocate General Haryana, submits on instructions from ESI Krishan Kumar, that other than the present petitioner, Devender, there are six other co-accused in the FIR in question, i.e. FIR No.0628 dated 12.08.2015 registered at Police Station City Jind, though two of the co-accused are juvenile.

Upon specific query of the Court as to whether the same persons are also the accused in the FIRs registered at Hisar, on instructions from Head Constable Harpal Singh, learned State counsel submits that the petitioner is the only common person in the FIRs in question as have been registered at Hisar, with the other co-accused being wholly different persons than the co-accused in the FIR registered at Jind.

Consequently, the accused in the FIRs being wholly different, with only the petitioner a common co-accused in all the FIRs, this petition cannot be entertained and consequently, it is dismissed.

(AMOL RATTAN SINGH)
JUDGE

May 08, 2017
Sunil Devi

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No