

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

**CRM No.M-40277 of 2018 (O&M)
Date of Decision: September 14, 2018**

Swaran Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.S.S.Rangi, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. for quashing of order dated 07.06.2018 passed by learned Sessions Judge, Jalandhar, vide which the application of the prosecution to conduct joint trial of Sessions trial titled as 'State of Punjab vs. Dr.Swaran Singh and others' and Sessions trial titled as 'State of Punjab vs. Satvir Singh Bajwa', has been allowed etc.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that an application was filed by the prosecution for conducting joint trial of case titled as 'State of Punjab vs. Satvir Singh Bajwa' with the main case titled as 'State of Punjab vs. Dr.Swaran Singh and others'. Learned Sessions Judge, Jalandhar, vide

impugned order dated 07.06.2018 accepted the above-said application to

conduct joint trial. From the record, I find that learned counsel for accused Swaran Singh, Sanjay Gera, Vikas Mehra as well as accused Satbir Singh Bajwa, have suffered statement on 01.06.2018 that they have no objection if the application for conducting joint trial is allowed. In view of their statements, application filed by the prosecution for conducting joint trial was allowed and the file of supplementary challan was ordered to be attached with the main trial file and it was also ordered that further proceedings shall be recorded only in main trial.

This order dated 07.06.2018 has been challenged in this petition filed by Swaran Singh. The perusal of the impugned order dated 07.06.2018 shows that this order has been passed in view of the 'No Objection' of all the accused including present petitioner, on the basis of their statements given before the Court on 01.06.2018. Furthermore, as per record, challan was already presented in case FIR No.7 dated 26.03.2011 under Sections 420, 467, 468, 471, 120-B IPC and Sections 13(1)(D) and 13 (2) of the Prevention of Corruption Act against Swaran Singh, Vikas Mehra, Sanjay Gera and Satvir Singh Bajwa. Satvir Singh Bajwa was earlier declared proclaimed offender and now, he has been arrested and supplementary challan has been presented against him. The supplementary challan relates to same FIR and Satvir Singh Bajwa is co-accused. Therefore, both these cases cannot be tried separately and cannot be decided separately but have to be decided by way of one judgment on the same date to avoid conflicting judgments. As supplementary challan has arisen from the same FIR, therefore, it is to be tried with the main case. Furthermore, as already discussed, the impugned order has been passed keeping in view 'No

petitioner.

In view of the above discussion, no ground is made out for quashing the impugned order dated 07.06.2018. Therefore, finding no merit in the present petition, the same is dismissed.

September 14, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No