

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

CRM-M No.11054 of 2023
Date of decision: 9th October, 2023

Tarshem Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Harmanjit S. Jugait, Advocate for the petitioner.

Mr. Digvijay Nagpal, Asst. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J.

1. The petitioner has invoked the inherent jurisdiction of this Court under Section 482 Cr.P.C. for clubbing of 15 FIRs which have been registered against him in different districts of Punjab for offences under Sections 379/379-B IPC and Section 411/34 IPC.

2. Learned counsel for the petitioner inter alia contends that he is a victim of false implication and as many as 15 criminal cases have been registered in different Police Stations for having allegedly committing theft of various articles like jewellery, motor cycles, cars etc. It has been further urged that though the petitioner is on bail in all the cases, which stand registered against him, however, it would not be possible for him to attend the proceedings in the various false cases which have been registered against the petitioner and are currently

pending in five different districts of the State of Punjab. While drawing the attention of this Court to Annexure P-1, it has been further submitted that even though he had made a representation to the above effect to the DGP Punjab, however, no action had been taken upon his representation.

3. Per contra, learned State counsel, while opposing the prayer made by the counsel opposite, has submitted that evidently the petitioner is a man of criminal antecedents as he is involved in multiple criminal cases, all arising out of different transactions and registered at different Police Stations, in different districts of Punjab. He submits that though the case FIRs registered against the petitioner are for almost identical crimes and under similar Sections of the Indian Penal Code, however, each of the cases involves different witnesses, locations and case properties. Learned State counsel has further asserted that in case all these case FIRs, as prayed for by the petitioner, are consolidated, it would require transportation of case properties from various locations to one particular Court, which in turn would also cause great inconvenience and hardship to the prosecution witnesses, who would have to travel significant distances to get their evidence recorded. Learned State counsel has thus submitted that consolidating all cases on a single location would also result in significant delay to the trial, potentially benefiting the accused.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. The petitioner is facing trial in the following case FIRs:

Sr. No.	FIR/Dated	Police Station	u/s (IPC)	Against	Article involved
1.	41/19.04.19	Sadar Ahmedgarh	379	Unknown	Car
2.	105/25.04.19	City Khanna	379	Unknown	Car
3.	101/19.05.19	Samrala	379	Unknown	Car
4.	108/09.06.19	Sadar Khanna	379	Unknown	Car
5.	144/25.06.19	Sadar Khanna	379-B	Unknown	Car
6.	135/12.07.19	Khanna City-2	379	Unknown	Jewellery
7.	146/20.07.19	Mandi Gobindgarh	379	Unknown	Car
8.	96/24.07.19	Chamkaur Sahib	379	Unknown	Car
9.	132/12.08.19	City Khanna	379	Unknown	Motorcycle
10.	135/20.08.19	City Khanna	379	Named along with 3 others	Motorcycle
11.	92/27.08.19	Payal	379	Unknown	Car
12.	93/29.08.19	City Morinda	379	Unknown	Car
13.	46/27.02.22	City Samana	379	Unknown	Car
14.	129/29.07.22	Amloh	411, 34	Unknown	Tata 1109
15.	129/18.08.22	City Khanna	379	Named along with 2 others	Tata 1109

6. A perusal of the various cases, which stand registered against the petitioner, indicate that they span different district jurisdictions and stem from separate incidents. It is worth noting that none of the complainants have been impleaded as parties in the current petition filed by the petitioner.

7. While considering a prayer to consolidate these cases and assign them to one particular Court, the Court must not only consider the convenience of the accused, but also the rights of the victims/informants and the prosecution witnesses. This includes their right, as per law, to initiate prosecution against the accused and to choose the territorial jurisdiction where the offence has occurred.

8. The concern of the State regarding complainants, victims and witnesses in various cases being put to hardship and inconvenience is well founded. As a sequel to the above discussions, this Court is not inclined to accede to the prayer made in the instant petition, which accordingly stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

October 9, 2023

rps

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