

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

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CRM-M-47901-2023

Date of decision:- 07.03.2024

Gopi Chand Chaudhary

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present :- Mr. Aman Pal, Advocate and
Mr. Japsehaj Singh, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

PANKAJ JAIN, J. (Oral)

1. Present petition is filed under Section 482 of Cr.P.C. seeking clubbing of the 15 FIRs i.e. a. FIR No. 348 Dated 24.10.2020 (P-3), b. FIR No. 642 Dated 24.10.2020.(P-4), c. FIR No.643 Dated 24.10.2020. (P-5), d. FIR No.644 Dated 24.10.2020.(P-6), e. FIR No.645 Dated 24.10.2020.(P-7), f. FIR No.646 Dated 24.10.2020.(P-8), g. FIR No. 647 Dated 24.10.2020.(P-9), h. FIR No.650 Dated 24.10.2020.(P-10), i. FIR No. 654 Dated 24.10.2020.(P-11), j. FIR No. 659 Dated 24.10.2020 (P-12), k. FIR No. 651 Dated 24.10.2020 (P-13), l. FIR No. 649 Dated 24.10.2020 (P-14), m. FIR No. 653 Dated 24.10.2020 (P-15), n. FIR No. 655 Dated 24.10.2020 (P-16), o. FIR No. 658 Dated 24.10.2020 (P-17), all registered under sections 120-B, 406, 420, 419, 465, 468, 471 of IPC registered at Police Station City Sirsa, based on complaint made by Excise & Taxation Officer City Mandi Dabwali, Sirsa, Haryana with FIR No. 657 Dated 24.10.2020 (P-1), under sections 120-B, 406, 409, 419,420, 465, 467, 468, 471 of IPC, registered at Police Station City Sirsa.

2. On the basis of an audit report, Department filed complaints regarding evasion of tax by different firms. Petitioner who at the relevant point of time was posted as Deputy Excise and Taxation Department has been arraigned as one of the accused. The details of the FIRs are tabulated here as under:-

Sr. No .	FIR	Police Station Name	Case No.	REMAND PENDING	ACCUSED
1.	643/2020	SIRSA CITY	CH1/174/2024 CH1/963/2023		AZAD, RAMNIWAS, GOPI CHAND, PADAM
2.	645/2020	SIRSA CITY	CH1/172/2024 CH1/412/2023		BASANT, PADAM, RAM NIWAS, AMIT, ASHOK, GOPI CHAND, KAPIL
3.	650/2020	SIRSA CITY	CH1/173/2024 CH1/709/2023		RAM NIWAS, PADAM , SHIVKANT, AMIT, GOPI CHAND
4.	644/2020	SIRSA CITY	CH1/175/2024 CH1/683/2023		RAM KUMAR LAMBA, PADAM, ASHOK, GOPI CHAND, AMIT
5.	658/2020	SIRSA CITY	CH1/1087/2023		GOPI CHAND, ASHOK
6.	646/2020	SIRSA CITY	CH1/628/2023	REMP/40/2024, REMP63/2024, ACCUSED PADAM, MANGAT RAM	GOPI CHAND, AMIT
7.	657/2020	SIRSA CITY	CH1/663/2023		MAHESH, GOPI CHAND, ASHOK
8.	647/2020	SIRSA CITY	CH1/682/2023	REMP/37/2024, REMP/90/2024 ACCUSED PADAM, HANUMAN	AMIT, GOPI CHAND,
9.	642/2020	SIRSA CITY	CH1/684/2023		AMIT, PADAM, GOPI, LEELADHAR, DEEPAK
10.	653/2020	SIRSA CITY	CH1/946/2023		ASHOK, GOPI CHAND.
11.	649/2020	SIRSA CITY	CH1/947/2023		ASHOK
12.	649/2020	SIRSA CITY	CH1/1069/2023	REMP/4/2024 REMP/38/2024 REMP/133/2024 ACCUSED HANUMAN, MAHESH, JITENDER	ASHOK, GOPI CHAND
13.	659/2020	SIRSA CITY	CH1/985/2023		ASHOK, GOPI, BHUPENDER
14.	654/2020	SIRSA CITY	CH1/986/2023		GOPI, ASHOK, TARA, HARISH
15.	528/2020	SIRSA CITY	CH1/1155/2023		GOPI, AMIT, PADAM
16.	651/2020	SIRSA CITY	CH1/1086/2023		ASHOK, GOPI CHAND
17.	527/2020	SIRSA CITY	CH1/1153/2023	REMP/52/2024 ACCUSED HANUMAN	GOPI, AMIT, PADAM
18.	544/2020	SIRSA CITY	CH1/674/2023		MAHESH, HARISH BIYANI
19.	355/2020	Civil Line Sirsa	CH1/835/2023	REMP/49/2024 REMP/1084/2023 ACCUSED MAHESH, MALA RAM	HARISH, ASHOK

3. On the last date of hearing, counsel was directed to seek instructions as to whether the petitioner would be satisfied, if the FIR cases are ordered to be tried by the same Court. Counsel on instructions from the petitioner submits that the petitioner shall be satisfied in case all the FIRs are ordered to be tried by the same Court and are fixed on the same day for the convenience of the accused who is more than 67 years of age.

4. Counsel for the State has also not opposed to the aforesaid fact.

5. In view of above, this Court is of the opinion that in order to avoid conflicting opinions and in order to serve the interest of justice, it is expedient to order that all the FIR cases as detailed hereinabove are tried by the same court keeping in view the convenience of the all the stakeholders.

6. Trial Court is directed to fix all the trials on the same day. Sessions Judge, Sirsa shall ensure the compliance of the order.

7. Disposed off accordingly.

(PANKAJ JAIN)
JUDGE

07th March, 2024

spn

Whether speaking/reasoned	: Yes
Whether Reportable	: No