



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

Sr. No. 204

**CRM-M-42455-2025
Decided on:30.10.2025**

Mamman Khan

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

PRESENT: Mr. R. S. Cheema, Senior Advocate with
Mr. A. S. Cheema, Advocate and
Mr. Siddharth Bhukkal, Advocate
for the petitioner.

Mr. Aakash Singla, Additional Advocate General, Haryana.

TRIBHUVAN DAHIYA, J.(ORAL)

This petition has been filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023, for quashing the order dated 10.12.2024, Annexure P-4, passed by the Additional Sessions Judge, Nuh, in Sessions Case 499 of 2024 pertaining to FIR no.137 dated 01.08.2023, under Sections 148,149, 153-A, 379-B, 427 and 435 of Indian Penal Code, 1860, whereby trial against the petitioner/accused has been segregated from that of the co-accused.

2. Learned State counsel has filed reply dated 29.10.2025, which is taken on record.

3. Apart from the instant case, the petitioner is an accused in two other Sessions Cases 478 and 485 of 2024. In those cases, learned Sessions Judge, Nuh, had passed orders segregating his trial from that of the co-accused.



The order was upheld by this Court vide judgment dated 12.12.2024, rendered in CRM-M-61516-2024. On the same lines the impugned order, dated 10.12.2024, was also passed by the learned Judge. During pendency of the petition, the judgment aforementioned was challenged before the Supreme Court. It has now been set aside in Criminal Appeal No. 4002-2025 titled *Mamman Khan v. State of Haryana*, vide judgment dated 12.09.2025, directing as under:

25. The matter is remitted to the trial Court with a direction to conduct a joint trial of the appellant along with the co-accused, in accordance with law. The trial Court shall be at liberty to regulate the schedule of proceedings to ensure expeditious disposal, but shall do so, without compromising procedural safeguards and only after hearing all concerned parties.
4. Since the issue has been finally settled by the Supreme Court that separate trials of the accused in the case arising out of the same transaction is not permissible under law, the petition is allowed and the impugned order dated 10.12.2024 is set aside directing that the petitioner shall be tried in the case alongwith other co-accused. The trial Court shall endeavour expeditious disposal of the case.

30.10.2025
Mehak

Whether reasoned/speaking?
Whether reportable?

(TRIBHUVAN DAHIYA)
JUDGE
Yes/No
~~Yes~~/No