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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.54233 of 2025 (O&M)
Reserved on: 04.11.2025
Pronounced on: 13.11.2025
Uploaded on: 14.11.2025

Jarnail Singh Bajwa
..... Petitioner
versus
State of Punjab and others
.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Chetan Mittal, Senior Advocate with
Mr. Himanshu Gupta, Advocate
for the petitioner.

Mr. Iqbalpreet Singh, AAG, Punjab.

Mr. Deepak Kumar, Advocate
for the complainant.

Mr. Himmat Singh, Advocate
for applicant-proposed respondent No.10 (in CRM-42394-2025).

RAJESH BHARDWAJ, J. (ORAL)

CRM No.42394 of 2025

Instant application has been filed praying for impleadment and intervention on behalf of the original complainant seeking leave to assist the Hon'ble Court in the present case.

Learned counsel for the intervenor has submitted there are 38 FIRs pending against the petitioner and the same are at different stages and thus, the same cannot be clubbed. He has further submitted that



impleadment of applicant is necessary in the present petition and thus, the application may kindly be allowed and he be impleaded as party/respondent No.10 in the present petition.

Notice in the application be issued to counsel for the non-applicant/petitioner.

Mr. Himanshu Gupta, Advocate, accepts the notice on behalf of the non-applicant.

After hearing learned counsel for the parties and going through the contents of the application, the same is allowed and the applicant, namely, Kuldeepak Mittal is ordered to be impleaded as respondent No.10 in the present petition.

CRM-M No.54233 of 2025

1. Present petition has been filed praying for clubbing/consolidation of total 38 FIRs as mentioned in the Table annexed as Annexure P-1 registered with Police Station (respondents No.5-9) in view of settled position of law laid by Hon'ble Apex Court in Alok Kumar vs. State of Bihar and others, SLP (Crl.) No.4073/2025, decided on 12.08.2025, which has been followed by this Hon'ble Court and heavily relied in Ashish Bhalla vs. State of Haryana and others (CRM-M-17130-2025) as well as in view of the factual matrix of the case in hand. Further prayer has been made that no coercive action be taken against the petitioner in any of the FIR as mentioned in the table including stay of execution of any production warrants that may have been issued or any order in this regard passed for the custody of the petitioner in any of these cases.



2. Learned Senior counsel for the petitioner has submitted that the petitioner is the Managing Director of M/s Bajwa Developer of Real Estate and Infrastructure Development in Punjab and Chandigarh with unparalleled entrepreneurial acumen and an unwavering commitment to excellence. He has submitted that the petitioner has successfully completed more than 130 landmark projects. He has submitted that the petitioner has been subjected to multiple unnecessary and unwarranted criminal FIRs, which have been registered primarily on account of unavoidable reasons causing delay in handing over the possession, delay in execution of agreement to sell of flats/plots, etc. He has submitted that there are 38 FIRs pending against the petitioner. He has submitted that the present petition has been filed for clubbing of 38 FIRs, which are arising out of the same cause of action.

3. Learned counsel for newly added respondent No.10 as well as learned counsel for the complainant have opposed the submissions made by learned Senior counsel for the petitioner and have submitted that the pending investigation cases are at different stages and thus, the same cannot be clubbed.

4. During the course of hearing, learned Senior counsel appearing on behalf of the petitioner has fairly submitted that the present petition has been filed praying for clubbing of 38 FIRs, however, he submits that as the trial in those cases is at different stages, so, he restricts his prayer only qua 04 FIRs, which are pending investigation.

5. The aforesaid prayer of the petitioner is accepted and the present petition survives only *qua* the prayer for clubbing of 04 FIRs



registered against the petitioner on similar allegations by different complainants, which are pending adjudication, which read as follows:

1. FIR No.178, dated 18.08.2017, under Sections 406, 420, 465, 467 & 468 of IPC, registered at Police Station Kharar, District SAS Nagar;
2. FIR No.11, dated 11.02.2025, under Sections 406, 420, 120-B of IPC, registered at Police Station PS NRI, District SAS Nagar;
3. FIR No.347, dated 07.10.2024, under Sections 406, 420 of IPC, registered at Police Station Kharar, District SAS Nagar; and
4. FIR No.348, dated 07.10.2024, under Sections 406, 420 of IPC, registered at Police Station Kharar, District SAS Nagar.

6. It has been submitted by learned Senior counsel for the petitioner that on the basis of common allegations, the petitioner is being prosecuted by lodging various FIRs at various police stations only in order to harass and humiliate him. He has submitted that the petitioner is seriously prejudiced in defending himself in all the FIRs, which are registered at different police stations and, thus, all these 04 FIRs deserve to be clubbed. In support of his arguments, he has relied upon a recent judgment of the Supreme Court rendered in the case of **Alok Kumar vs. The State of Bihar & Ors.**, Special Leave to Appeal (Crl.) No.4073/2025, decided on 12.08.2025, and has submitted that considering the aforesaid FIR No.178, dated 18.08.2017, under Sections 406, 420, 465, 467 & 468 of IPC, registered at Police Station Kharar, District SAS Nagar as the principal/main FIR, and all other FIRs registered against the petitioner on the similar allegations by different complainants and also the FIRs that may be registered against the petitioner in future with respect to



the same allegations at various police station may be treated as statements under Section 161 of the Cr.P.C.

7. Learned State counsel has relied upon the judgment of the Supreme Court rendered in **State of Rajasthan vs. Surendra Singh Rathore**, Criminal Appeal No.847 of 2025, arising out of SLP (Criminal) No.16358 of 2024, decided on 19.02.2025 and submits that registration of second FIR is permissible when it pertains to a larger issue and discovery of new facts, distinct from the first FIR. However, he is also in agreement with the argument raised by the learned counsel for the petitioner in view of the law settled by the Hon'ble Supreme Court regarding clubbing of the FIRs.

8. After hearing learned counsel for the parties, it is discernible that the prayer made by learned Senior counsel appearing on behalf of the petitioner regarding clubbing of the FIRs registered against the petitioner on the same allegations by different complainants at various police stations is in consonance with the law settled by the Supreme Court in **Alok Kumar's case (supra)**, in which the Supreme Court has held as under:-

“15. In such circumstances, referred to above, the first thing that we should do is to order clubbing of all the 81 FIRs/Criminal Cases registered against the petitioner.

16. We direct that the very first FIR registered against the petitioner dated 11.01.2018 with the Shastri Nagar Police Station, Patna, Bihar shall be treated as the main FIR. All other First Information Reports shall be treated as statements under Section 161 of the Criminal Procedure Code, 1973 (for short “the CrPC”). We are passing this order in tune with

the decision of this Court in the case of “Satinder Singh Bhasin v. State of U.P. and Another” reported in 2023 (14) SCC 805.

17. We clarify that any FIR that may be registered against the petitioner and the company in future with respect to delivery of property to home buyers shall also be treated as a Statement under Section 161 of the CrPC.”

9. In view of the aforesaid discussion, the present petition is partially allowed and keeping in view the law settled by the Supreme Court in **Alok Kumar’s case (supra)**, it is ordered that FIR No.178, dated 18.08.2017, under Sections 406, 420, 465, 467 & 468 of IPC, registered at Police Station Kharar, District SAS Nagar against the petitioner be treated as the principal/main FIR and all other above mentioned 03 FIRs , based on the similar allegations and lodged by the different complainants, be treated as statements under Section 161 of the Cr.P.C. It is also ordered that any FIR that may be registered against the petitioner in future involving similar allegations be also treated as a statement under Section 161 of the Cr.P.C.

10. All the pending applications stand disposed of.

13.11.2025		(RAJESH BHARDWAJ)
<i>rittu</i>		JUDGE
	Whether Speaking/Reasoned	: Yes/No
	Whether Reportable	: Yes/No