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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 2271/2024**

AZHAR KHAN

.....Petitioner

Through:

Ms. Riya Kalra, Mr. Tanay
Chaturvedi, Advocates

versus

STATE NCT OF DELHI AND ORS

.....Respondents

Through:

Mr. Sanjeev Bhandari, ASC (Crl.) for
State
SI Vineet Kumar, PS Vikaspuri,
SI Rajiv Ranjan, PS Mayapuri and SI
Ashish Rathee, PS Janakpuri.

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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10.01.2025

CRL.M.A. 528/2025 (under section 528 of the Bharatiya Nagarik Suraksha
Sanhita, 2024 (BNSS) seeking early hearing and expeditious disposal of the
captioned writ petition)

1. This is an application seeking early hearing in the in the captioned
petition. With the consent of the parties, the application is allowed and the
main petition is taken up for hearing.

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2. This is a petition seeking a mandamus in the following terms:

Issue a writ of mandamus or any other appropriate writ, order or
direction to the Respondent(s) to transfer the 4 (four) connected
FIRs (i.e. FIR No. 417/2021 dated 15 July 2021, P.S. Vikas



Puri; FIR No. 333/2021 dated 19 July 2021, P.S. Patel Nagar; FIR No. 296/2021 dated 22 July 2021, P.S. Mayapuri; and FIR No. 368/2021 dated 23 July 2021, P.S. Janakpuri) lodged against the Petitioner and all the cases in respect thereof pending before the different courts of Delhi to ACMM-II, Patiala House Courts, New Delhi where the cases arising out of the 3 (three) connected FIRs (i.e. FIR No. 416/2021 dated 28 July 2021, P.S. Vasant Kunj South; FIR No. 417/2021 dated 28 July 2021, P.S. Vasant Kunj South; and FIR No. 418/2021 dated 28 July 2021, P.S. Vasant Kunj South) are already pending against the Petitioner and then consolidate all the aforesaid 7 (seven) FIRs for the purposes of investigation, inquiry and trial;

3. Ms. Riya Kalra, learned counsel for the Petitioner states that since the allegations which form the subject matter of these FIRs are identical. List of witnesses and documentary evidence filed by the Respondent in support of each of its cases have a substantial overlap. She states that it would be in the interest of the judicial time as well as of the public exchequer if the trial is consolidated and the cases are tried before one Court.

3.1. She states that this would expedite the trial and thus sub-serve the right of the Petitioner to speedy trial.

3.2. She states that the charges have been framed in FIR No. 368/2021, P.S. Janakpuri on 19.12.2024. She states that the charges have not been framed in the remaining six (6) matters.

4. Mr. Sanjeev Bhandari, learned Additional Standing Counsel states on instructions that the Respondents have no objection in all the matters being tried together before the Court of the learned ACJM-II, Patiala House Courts, where FIR Nos. 416/2021, 417/2021 and 418/2021 pertaining to Police Station Vasant Kunj, South are already pending.



5. In view of the above joint submission of the parties and having perused the averments made in this petition, this Court is satisfied that the prayer in the petition seeking joint trial of the seven FIRs would be in the interest of the accused and the prosecution as well as the public exchequer.

6. Accordingly, the directions are hereby issued for transfer of trial in FIR No. 417/2021, PS Vikaspuri; FIR No. 333/2021, PS Patel Nagar; FIR No. 296/2021, PS Mayapuri and FIR No. 368/2021 PS Janakpuri; to the Court of ACJM-II, Patiala House Courts, New Delhi where the case(s) arising out of FIR Nos. 416/2021, 417/2021 and 418/2021, P.S. Vasant Kunj South are already pending.

7. A copy of the order be sent to the Principal District and Sessions Judge, West District, Tis Hazari and Principal District and Sessions Judge, South West District, Dwarka for information and necessary compliance of directions for transfer. The order be also sent the Principal and District and Sessions Judge, Patiala House Courts so as to allot the four (4) case(s) received on a transfer to the Court of ACJM-II, Patiala House Courts, which is already hearing cases in three FIRs.

8. The parties shall appear before the concerned ACJM-II, Patiala House Courts on 24.01.2025, the date already fixed.

9. A reference table of the Courts where the cases are pending consideration is set out hereunder:-



#	Particulars of the FIRs	Transferor Court	Transferee Court
1.	FIR No. 417/2021 dated 15 th July 2021 registered at P.S. Vikas Puri	Investigation has been completed. Chargesheet yet to be filed.	ACJM-II, New Delhi District, Patiala House Courts.
2.	FIR No. 333/2021 dated 19 th July 2021 registered at P.S. Patel Nagar	Cr. Case 11308/2021, ACJM, West District, Tis Hazari Courts	ACJM-II, New Delhi District, Patiala House Courts.
3.	FIR No. 296/2021 dated 22 nd July 2021 registered at P.S. Mayapuri	Cr. Case 11274/2021, JMFC-03, West District, Tis Hazari Courts	ACJM-II, New Delhi District, Patiala House Courts.
4.	FIR No. 368/2021 dated 23 rd July 2021 registered at P.S. Janakpuri	Cr. Case 14188/2021, JMFC-11 South West District, Dwarka Courts	ACJM-II, New Delhi District, Patiala House Courts.
5.	FIR No. 416/2021 dated 28 th July 2021 registered at P.S. Vasant Kunj South	Cr. Cases 9097/2021, ACJM-II, New Delhi District, Patiala House Courts.	No change.
6.	FIR No. 417/2021 dated 28 th July 2021 registered at P.S. Vasant Kunj South	Cr. Cases 9085/2021, ACJM-II, New Delhi District, Patiala House Courts.	No change.
7.	FIR No. 418/2021 dated 28 th July 2021 registered at P.S. Vasant Kunj South	Cr. Cases 9084/2021, ACJM-II, New Delhi District, Patiala House Courts.	No change.

10. The petition is accordingly disposed of. Pending application if any are disposed of.

11. The date of 14.02.2025 stands cancelled.

12. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated



as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

JANUARY 10, 2025/msh/AKT **MANMEET PRITAM SINGH ARORA, J**

Click here to check corrigendum, if any