

21.01.2026
Sl. No.24-26.
D/L.
Mithun.
Ct.No.29.

CRR/3591/2025

Atin Singh & Ors.
Vs.
State of West Bengal & Anr.
With
CRR/3592/2025
Shantanu Singh @ Singha & Ors.
Vs.
State of West Bengal & Anr.
With
CRR/3621/2025

Atin Singh @ Singha & Ors.
Vs.
State of West Bengal & Anr.

Mr. Moyukh Mukherjee, Mr. Arkaprabho Roy	...for the petitioners in CRR 3591 of 2025
Mr. Moyukh Mukherjee, Mr. Soujanya Pattanayak	...for the petitioners in CRR 3592 of 2025
Mr. Arkaprabho Roy	...for the petitioners in CRR 3621 of 2025
Mr. Madhusudan Sur, Ld. APP, Mr. Debadrita Mandal	...for the State in CRR 3591 of 2025
Mr. Madhusudan Sur, Ld. APP, Ms. Sujata Das	...for the State in CRR 3592 of 2025
Mr. Madhusudan Sur, Ld. APP, Ms. Ayana De	...for the State in CRR 3621 of 2025

Learned Counsel for the petitioners submits that it is evident from the complaint that Khatra Police Station Case No.46 of 2025, 47 of 2025, 48 of 2025 and 49 of 2025 have arisen in connection with series of connected incidents forming part of the same transaction, which allegedly

took place on 13.06.2025 approximately in between 8 pm to 9 pm in and around Karali More, allegedly committed by the common accused persons.

Being aggrieved by the multiple FIRs and criminal cases, over self-same occurrence learned Counsel for the petitioners submits that the subsequent three criminal cases (corresponding to instant applications being CRR 3591 of 2025, CRR 3592 of 2025 and CRR 3621 of 2025) cannot be allowed to continue in connection with same incident and, therefore, further continuance of Khatra Police Station Case No.47/2025, 48/2025 and 49/2025 would amount to abuse of the process of law as it also violates Article 20(2) of the Constitution of India which prohibits double Jeopardy.

He further submits that receipt of every subsequent information in respect of self-same cognizable offences cannot give rise to fresh investigation. In this context, he relied upon Paragraphs 19 and 20 of ***T.T.Antory Vs. State of Kerala & Ors., (2001) 6 SCC 181*** and Paragraphs 20-21 of ***Babubhai Vs. State of Gujarat & Ors., (2010) 12 SCC 254.***

He further submits that when more information in connection with the same occurrence is given, involving the same cognizable offence, the Investigating Officer need not start separate FIR in connection with the same incident and, thereby, such statement cannot be treated as separate FIR.

Learned Counsel for the State, Mr. Madhusudan Sur submits that on perusal of the Case Diary, it appears that the subsequent cases being Khatra Police Station Case No.47 of 2025, 48 of 2025 and 49 of 2025 are the series of incidents in connection with the original complaint being Khatra Police Station Case No.46 of 2025. It further appears that

Investigating Officer of Khatra P.S. Case No.46/2025 admitted that regarding the incidents on 13.06.2025 created by the accused persons of Khatra P.S. Case No.46/2025, three additional cases were initiated. Since they are the incidents of same transaction of events, therefore, the proceeding arising out of later three FIRs should be merged with the original FIR being Khatra Police Station Case No.46 of 2025.

Having heard learned Counsel for the petitioners and the State, it appears that all the aforesaid three cases being Khatra Police Station Case No.47 of 2025, 48 of 2025 and 49 of 2025 have close proximity of time and place of the occurrence which are one kilometre South to the Khatra Police Station. In fact, Khatra Police Station Case No.47 of 2025 and 49 of 2025 was initiated against the same accused persons who are Suraj @ Bapon Lai, Choton Singha and Raja Sardar. Five accused persons were arrested on the spot in connection with Khatra Police Station Case No.46 of 2025 who were also shown arrested in Khatra Police Station Case No.47 of 2025 vide learned Court's order dated 17.06.2025. The petitioners of CRR 3592 of 2025 arising out of Khatra Police Station Case NO.48 of 2025 are also the accused in connection with Khatra Police Station Case No.46 of 2025. Applying the test of sameness, which is also not disputed by the State and considering the submissions that all three subsequent occurrences are in regard to the incidents which are different parts of the same transaction and following ratio laid down in T.T. Antony's Case (supra) it is therefore clear that the earliest FIR in regard to the commission of cognizable offence i.e. Case No.46 of 2025 satisfies the requirement of Section 154 Cr.P.C. and therefore there can be no FIR on receipt of every subsequent information in respect of same occurrence giving rise to one or more cognizable offences. Therefore, it appears that the later three FIRs are required to be

clubbed with the original FIR being Khatra Police Station Case No.46 of 2025.

In ***Abhishek Singh Chauhan Vs. Union of India & Ors.***, reported in **2022 SCC OnLine SC 1936**, learned Apex Court has clearly laid down the law in this context in Paragraph 10 of the said judgment which is as follows:-

“10. In each of the States, where directions for clubbing of FIRs is being passed, the subsequently registered FIRs shall be treated as statements under Section 161 of the Code of Criminal Procedure (Cr.P.C.). The investigating officer in criminal case arising from the first FIR in the concerned State, as referred to above, will be free to file supplementary chargesheet after collation of all the records concerning other FIRs in the respective States, which are clubbed in terms of this order. In the event, the investigating officer in other FIRs had already filed the police report under Section 173 of the Cr.P.C. before the concerned Court and the concerned Court had taken cognizance thereof, the said FIRs and criminal cases would also stand transferred and merged/clubbed alongwith the first criminal case registered in the respective State, as referred to above, to be proceeded with in accordance with law. The investigating officer in the stated case (principal case to which the subsequent FIRs would stand merged/clubbed), will be free to file supplementary chargesheet on the basis of material collated during investigation of other FIRs.”

In view of aforesaid guidelines and in the context of the present set of facts and circumstances of all the cases, the FIRs in connection with Khatra Police Station Case No.47 of 2025, Khatra P.S. Case 48 of 2025 and Khatra Police Station Case no.49 of 2025 are hereby clubbed with Khatra Police Station Case No.46 of 2025. The Investigating Officers in connection with Khatra Police Station Case No.46 of 2025 will be free to file supplementary charge-sheet after coalition of all the records concerning the other three FIRs, namely Khatra Police Station Case No.47 of 2025, 48 of 2025 and 49 of 2025 which are clubbed in terms of this order and the charge-sheet submitted in Case No.46 of 2025 as well as supplementary chargesheets, if any, shall be treated as a single charge-sheet filed in connection with Khatra Police Station Case No.46 of 2025.

The applications being CRR 3591 of 2025, CRR 3592 of 2025 and CRR 3621 of 2025 thus stands disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Dr. Ajoy Kumar Mukherjee, J.)