Kunti Devi vs. State of H.P.

Cr. Revision No. 344 of 2026
Reserved on: 14.10.2026

28.10.2026 **Present**: Mr Rajiv Rai, Advocate, for the petitioner.
Mr Jitender Sharma, Additional Advocate General, for the respondent-State.

Cr.MP No. 4520 of 2026

The applicant/petitioner has filed the present application for early hearing of Criminal Revision Petition No. 344 of 2026.

2. It has been asserted that the revision petition arises out of an incident dated 04.06.2022, in respect of which FIR No. 50 of 2022 and FIR No. 51 of 2022 were registered. Puneet Kumar, one of the accused, is in judicial custody, while the co-accused, Kailash, has been released on bail by the Hon'ble Supreme Court of India in FIR No. 51 of 2022.

3. The police filed a charge-sheet in FIR No. 51 of 2022, but filed a cancellation report in FIR No. 50 of 2022. The cancellation report was accepted by the learned Sessions Judge, Bilaspur. The FIRs arising out of the same incident are to be heard by the same Court to avoid conflicting findings. Therefore, it was prayed that the revision petition be heard on an early date.

4. Heard.

5. It was laid down by the Hon'ble Supreme Court in ***Nathi Lal v. State of U.P., 1990 SCC (Cri) 638***, that the same learned Judge must try both the cross-cases one after the other. He must hear the arguments after the recording of evidence in one case, but must reserve the judgment; and thereafter, he must proceed to hear the cross-case, hear arguments, and reserve the judgment. The learned Judge should dispose of the matters by two separate judgments.

6. This judgment was followed in ***Punit Beriwala v. State of NCT, 2025 INSC 582***, and it was held that the investigation should be carried out comprehensively to discover the truth.

7. Therefore, in view of the binding precedents, it is necessary that the cross-FIRs should be heard by the same Judge.

8. It has been stated in the application that the evidence in FIR No. 51 of 2022 is complete, whereas the revision against the acceptance of the cancellation report in FIR No. 50 of 2022 is pending before this Court. Thus, the mandate of the Hon'ble Supreme Court to hear the cross-cases one after the other would be defeated by not

considering the revision in FIR No. 50 of 2022 at the earliest.

9. Therefore, the present application is allowed, and Criminal Revision Petition No. 344 of 2026 is ordered to be listed along with Cr.M.P. No. 1547 of 2026 at the earliest.

10. The application stands disposed of.

(Rakesh Kainthla)
Judge

28th October, 2026
(Chander)