

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****CRWP-3145-2026 (O&M)****Reserved On: 08.05.2026****Date of decision: 13.05.2026****DHRUV DUTT SHARMA****...Petitioner****V/S****STATE OF HARYANA AND OTHERS****...Respondent****CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA**

PRESENT: Mr. R.S.Rai, Senior Advocate,(through VC) and
Mr. A.P.S. Deol, Senior Advocate with
Mr. Sumer Singh Boparai, Advocate
Mr. Prabhav Ralli, Advocate
Mr. Himmat Deol, Advocate
Mr. Sirhaan Seth, Advocate
Mr. Surya Partap Singh, Advocate
Mr. Ankit Jangra, Advocate
Mr. Jasmeet Singh Kang, Advocate
Mr. Samraat Saxena, Advocate; Mr. Karan Kalia, Advocate &
Mrs. Sagarika, Advocate for the petitioner.

Mr. Satbir Singh Goripuria, DAG, Haryana.

None for Respondent No. 2 & 3

Mr. Manish Jain, Senior Advocate,
with Mr. Siddhant Jain, Advocate
Mr. Manan Jain, Advocate, and
Mr. Bharat Mani Goyal for respondent no.4.

Mr. Sunil Panwar, Senior Advocate,
with Mr. Dhruv Singh, Advocate, &
Ms. Tejaswini, Advocate for respondent no.5.

Mr. Ketan Garg, Advocate for
Mr. Vishal R. Lamba, Advocate, for respondent no.6.

Mr Sahej Mahajan, Advocate,
and Mr. Suryansh Vashisth, Advocate,
for applicant in CRM-W-595-2026.

Mr. S.K. Bishnoi, Advocate,
and Mr. Rohit Kalra, Advocate,
for applicant-respondent in CRM-W-565-2026.

Mr. Dixit Garg, Advocate,
for applicant/Intervener in CRM-W-630-2026.

**SUBHAS MEHLA, J.**

1. The present writ petition has been filed under Article 226 of the Constitution of India read with Section 528 of the BNSS, seeking issuance of directions for consolidation of FIR No.263/2025 dated 20.12.2025 registered under Sections 120-B, 409, 420, 467, 468 and 471 IPC at Police Station Civil Lines, Gurugram; FIR No.0001/2026 dated 01.01.2026 registered under Sections 120-B and 420 IPC at Police Station Civil Lines, Gurugram; FIR No.0002/2026 dated 02.01.2026 registered under Sections 120-B and 420 IPC at Police Station Civil Lines, Gurugram; and FIR No.0040/2026 dated 05.02.2026 registered under Sections 316(5), 318(4) and 61 of the BNS at Police Station Civil Lines, Gurugram, with FIR No.262/2025 registered under Sections 120-B, 409 and 420 IPC at Police Station Civil Lines, Gurugram (hereinafter referred to as the “Parent FIR”).

SUBMISSIONS ON BEHALF OF PETITIONER

2. Learned senior counsel appearing on behalf of the petitioner submitted that the petitioner is a reputed businessman and entrepreneur having an established standing in society and is associated with the “32nd Avenue” / “32nd Milestone Complex” situated at Sector-15, Part-II, Gurugram. It was contended that criminal proceedings came to be initiated against the petitioner at the instance of one Mr. Madan Lal Sharma, resulting in registration of FIR No.262/2025 i.e. the *Parent FIR*, primarily on allegations pertaining to non-payment of assured rent, though according to the petitioner, such rent had initially been paid regularly for a period of one to two years. It was further submitted that thereafter, four additional FIRs came to be registered at the same Police Station on substantially similar allegations concerning units



situated in the same project/property. Learned senior counsel argued that the disputes raised by the complainants are essentially civil in nature, arising out of landlord-tenant/investor arrangements, for which the appropriate remedy lay before the authorities constituted under RERA, and that the complainants have wrongly sought to give a criminal colour to the dispute by setting the criminal law into motion. Learned senior counsel for the petitioner argued, that the registration of multiple FIRs in relation to the same project amounts to misuse of State machinery and abuse of the process of law. Learned senior counsel further apprised this Court that vide order dated 19.03.2026, this Court had directed that except for the Parent FIR, the State shall not proceed in the remaining FIRs till the next date of hearing, and the same interim protection was thereafter continued vide orders dated 08.04.2026 and 28.04.2026. Despite the aforesaid orders, the State proceeded to present challan against the petitioner in FIR No.0002/2026 dated 02.01.2026 registered under Sections 120-B and 420 IPC at Police Station Civil Lines, Gurugram. It was further contended that registration of subsequent FIRs on substantially the same allegations in relation to the same project/property i.e. “32nd Avenue”, is legally impermissible and liable to be treated as an abuse of process of law. In support of the aforesaid submissions, reliance was placed upon *Ashish Bhalla v. State of Haryana, CRM-M-17130-2025 (O&M)*, decided by this Court on **22.08.2025**, wherein consolidation of multiple FIRs pertaining to a development project had been ordered. Reliance was also placed upon *T.T. Antony v. State of Kerela, (2001) 6 SCC 181*; *State (NCT) of Delhi v. Khimji Bhai Jadeja, 2026 SCC Online SC 19*; *Alok Kumar v. State of Bihar, 2025 SCC Online SC 1728*; *Ravinder Singh Sidhu v. State of Punjab, 2025 SCC*



Online SC 1164; Satinder Singh Bhasin v. State of U.P., (2023) 14 SCC 1164; and Abhishek Singh Chauhan v. Union of India, 2022 SCC Online SCC 1936.

SUBMISSIONS ON BEHALF OF STATE/RESPONDENT NO.1

3. Learned State Counsel vehemently opposed the submissions advanced on behalf of the petitioner and contended that the FIRs in question do not warrant consolidation, as each FIR pertains to distinct allegations of fraud and cheating, involving separate complainants/investors, different transactions, and independent causes of action. It was submitted that the only commonality amongst the FIRs is that the complainants were investors in the ‘32nd Avenue’ project and the petitioner, along with his co-accused, figures as an accused in each of the FIRs. However, each FIR discloses separate offences committed at different points of time, involving different representations, distinct factual foundations, and varying modes and manners of commission of the alleged crimes. Reliance was placed upon *State of Punjab v. Rajesh Syal, (2002) 8 SCC 158*, to contend that distinct offences arising out of separate transactions cannot be artificially amalgamated merely because some parties or surrounding circumstances may overlap.

4. Learned state counsel further submitted that in each of the FIRs, similarly placed victims have been joined in the investigation, and no separate FIRs have been registered with regard to them. It was further argued that the present petition has been instituted on vague and untenable grounds solely with a view to obstruct and derail the ongoing investigations and to evade criminal liability arising out of separate offences committed by the petitioner. Accordingly, prayer was made for dismissal of the present petition.

**SUBMISSIONS ON BEHALF OF RESPONDENT NO.4**

5. Learned senior counsel appearing on behalf of respondent No.4, i.e. the complainant in FIR No.0001/2026 dated 01.01.2026 registered under Sections 120-B and 420 IPC at Police Station Civil Lines, Gurugram, opposed the submissions advanced on behalf of the petitioner and contended that the allegations contained in FIR No.0001/2026 disclose a cause of action entirely distinct from the *Parent FIR*. It was submitted that respondent No.4 has independent grievances against the petitioner and the co-accused, founded upon a separate set of transactions, representations and documents, and that consolidation of the FIRs would seriously prejudice the rights and interests of the complainants.

6. Learned counsel argued that although the accused persons and the project/property in question may be common, each FIR nevertheless reveals a different pattern and modus adopted to allegedly cheat investors over a period of time. According to the respondent, the cases do not arise out of one singular scheme or one composite transaction where multiple investors were induced through identical representations; rather, each FIR pertains to distinct acts of alleged cheating and criminal breach of trust committed through different methods and under varying factual circumstances. It was further submitted that if all FIRs are consolidated, the investigating agency as well as the concerned Courts may be deprived of the opportunity to independently examine the peculiarities and intricacies involved in each set of allegations.

7. Learned counsel further contended that as pointed out by the learned State Counsel, complainants having substantially similar allegations



and alleging similar *modus operandi* have already been associated in the respective FIRs during the course of investigation itself, and therefore, there exists no justification for clubbing distinct FIRs involving separate transactions. It was argued that mere recording of statements of other complainants under Section 161 Cr.P.C. would not sufficiently address the independent nature of the allegations levelled in each case.

8. It was also submitted that while the *Parent FIR* primarily concerns alleged deficiencies arising out of a leasing arrangement qua a particular allottee, FIR No.0001/2026 pertains to allegations of a broader financial fraud involving multiple investors, alleged diversion/misappropriation of funds, and creation of third-party rights in respect of the units in question. Hence, according to learned counsel, the allegations cannot be treated as forming part of the “same transaction” so as to justify consolidation of the FIRs. In support of the aforesaid submissions, reliance was placed upon *Anju Chaudhary v. State of UP, (2013) 6 SCC 384, and State of Rajasthan v. Surendra Singh Rathore, 2025 SCC Online 358*. Learned senior counsel further submitted that consolidation of the FIRs would seriously prejudice the complainants by shielding the petitioner and the co-accused from being independently investigated for separate and distinct acts of cheating and criminal breach of trust allegedly committed against different investors, and accordingly prayed for dismissal of the present writ petition.

SUBMISSIONS ON BEHALF OF RESPONDENT NO.5

9. Learned senior counsel appearing on behalf of respondent No.5, i.e. the complainant in FIR No.0002/2026 dated 02.01.2026 registered under Sections 120-B and 420 IPC at Police Station Civil Lines, Gurugram,



contended that the present petition is misconceived, factually misleading, and wholly untenable in law. It was submitted that FIR No.0002/2026 discloses a distinct and independent cause of action and therefore does not warrant consolidation with the *Parent FIR*. According to learned counsel, such consolidation would seriously hamper a fair and effective investigation into the specific allegations levelled therein.

10. Learned senior counsel submitted that as per the allegations in FIR No.0002/2026, the accused persons represented to respondent No.5 that the unit proposed to be sold was free from encumbrances and capable of being lawfully transferred in his favour. Acting upon such representations, respondent No.5 allegedly paid a total sale consideration of Rs.2,50,00,000/- (Rupees Two Crore and Fifty Lakh only), pursuant to which Agreement to Sell bearing Vasika No.8365 dated 17.09.2021 came to be executed and registered at Tehsil Wazirabad, Gurugram. Despite receipt of the entire sale consideration, the accused persons allegedly failed to execute the sale/conveyance deed in favour of the complainant in terms of the agreement, while repeated requests, reminders and even legal notice issued by respondent No.5 went unheeded.

11. It was further submitted that upon subsequent enquiry and media reports concerning the alleged fraud committed by the accused persons, respondent No.5 discovered that the very same unit, which had allegedly been agreed to be sold to him, had thereafter been subdivided into 44 smaller units and transferred to multiple third parties through separate sale deeds executed for an aggregate sale consideration of approximately Rs.13,54,58,000/- (Rupees Thirteen Crore Fifty-Four Lakh and Fifty-Eight Thousand only).



Learned senior counsel thus argued that the modus allegedly adopted in FIR No.0002/2026 is entirely different and distinguishable from the allegations contained in the Parent FIR, and the dispute cannot be trivialised as a mere landlord-tenant disagreement, as sought to be projected on behalf of the petitioner.

12. Learned senior counsel further contended that the present petition is a calculated attempt to dilute serious criminal allegations, obstruct a lawful investigation, and cloak criminal liability under the guise of a civil dispute by way of selective and misleading presentation of facts. Accordingly, prayer was made for dismissal of the present petition with exemplary costs.

SUBMISSIONS ON BEHALF OF RESPONDENT NO.6

13. Learned Senior Counsel appearing on behalf of respondent No.6, i.e. the complainant in FIR No.40 dated 05.02.2026 registered under Sections 316(5), 318(4) and 61 of the BNS, opposed the submissions advanced on behalf of the petitioner and contended that consolidation of FIR No.40 with the *Parent FIR* would result in serious prejudice to the complainant/respondent no.6 and defeat the ends of justice. It was submitted that the allegations contained in FIR No.40 are wholly distinct, independent and unconnected with the allegations forming subject matter of the *Parent FIR*. According to learned counsel, while the Parent FIR essentially pertains to disputes arising out of an alleged leasing/rental arrangement, FIR No.40 discloses a separate and distinct mode of alleged cheating adopted against the complainant. Learned counsel submitted that the complainant, through his HUF namely “*Ramender Mall and Sons*”, allegedly invested a sum of Rs.45,00,000/- (Rupees Forty-Five Lakh only) towards purchase of Unit No. U8-70 measuring 50 sq. ft., with an



assurance of monthly rental income of Rs.30,000/-. Despite payment of the entire sale consideration along with stamp duty and other charges, the conveyance deed was never executed in favour of the complainant. It was further submitted that owing to continued non-execution of the conveyance deed, the complainant demanded refund of the amount paid, whereupon the accused persons allegedly assured return of the amount within a period of 30 to 45 days, which assurance too was never fulfilled.

14. Learned Senior Counsel further contended that the unit purportedly agreed to be sold to the complainant had been represented as free from encumbrances, whereas it subsequently came to light that the same stood mortgaged with Union Bank of India. On the aforesaid basis, it was argued that the allegations in FIR No.40 disclose a separate and independent act of alleged cheating requiring an independent investigation, and cannot be treated as part of the same transaction forming subject matter of the Parent FIR or the other FIRs registered against the petitioner in relation to the same project.

SECOND SUBMISSION ON BEHALF OF PETITIONER

15. Learned counsel for the petitioner lastly submitted that in so far as FIR No.0002/2026 is concerned, wherein challan has already been presented by the investigating agency, the petitioner has no objection if the said FIR is treated independently and is not consolidated with the Parent FIR.

OBSERVATIONS

16. This Court has heard learned counsel for the parties and perused the paper-book with their able assistance.

17. The principal question which arises for consideration before this Court is whether the FIRs in question arise out of the “same transaction”,



or disclose substantially overlapping allegations, so as to justify consolidation thereof in exercise of jurisdiction under Article 226 of the Constitution of India read with Section 528 of the BNSS.

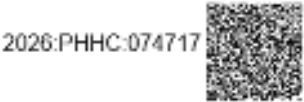
18. To consider this question, it is essential to first analyse the allegations levelled against the accused persons, including the petitioner in different FIRs:

CHART OF ALLEGATIONS AS PER CONTENTIONS OF THE LEARNED COUNSEL FOR PARTIES, THEIR PLEADINGS, AS WELL AS REPLY FILED BY THE STATE:

S.NO.	FIR NO.	SECTIONS	ALLEGATIONS
1.	FIR No. 262 of 2025 <i>Parent FIR Resp No. 2</i>	Sections 120-B, 409 & 420 of IPC	Respondent No.2’s son was lured to invest and purchase commercial unit no. G-10, (271 sq. dt. as per Conveyance Deed) by co-accused Anubhav Sharma on the assurance that the same would be leased out to <i>M/s Growth Hospitality LLP</i> , and a fixed rental income of Rs. 500/- per sq. ft. would accrue to him. grievances: i. Lesser area conveyed than what was represented to his son at the time of sale of the unit, thereby causing financial loss to them. ii. Failure to deliver possession of the commercial unit. iii. Failure to pay lease rentals arising out of lease arrangement after June 2025. iv. <i>M/s Growth Hospitality LLP</i> was run by petitioner, i.e. son of accused Anubhav Sharma, and TDS was deducted from the rent paid to the complainant, however, no Form 16A was issued to them, thereby causing financial loss.
2.	FIR No.0001/2026 <i>Resp No. 4</i>	Sections 120-B & 420 IPC	Cause of action arising out of a series of transactions spanning over considerable period of time since 2011-12: i. Failure to deliver possession ii. Failure to honour commitment of paying assured returns to the investors iii. Accused proposed a buy-back arrangement from with investors. iv. The accused entered into buy-back agreement with some of the investors undertaking to repurchase the allotted units for



			a buy-back consideration by 15.04.2020 v. For some of the complainants, including respondent no.4, there was no buy-back agreement executed despite assurances. vi. Thereafter accused Anubhav Sharma sought time-extension to repurchase units by 31.12.2020 vii. Despite repeated extensions, the accused failed to pay the buy-back consideration viii. accused illegally created third-party rights by leasing out the units to third-party entities such as M/s Bata India, without the knowledge and/or consent of respondent no.4 and other complainants. ix. A total of 8 units had been purchased by the complainants in this FIR, between the years 2010 and 2014. x. However, on 29.06.2020, the accused persons sold the said units to <i>Experion Centre</i> without informing the complainant firm, and without cancelling the agreement to sell, and also did not return the money of the complainants.
3.	FIR No.0002/2026 <i>Resp No. 5</i>	Sections 120-B & 420 IPC	i. Failure to execute conveyance deed despite payment of entire consideration of Rs.2,50,00,000/- duly recorded in the Agreement to Sell bearing Vasika No. 8365 dated 17.09.2021, while ignoring repeated requests, reminders and legal notice. ii. Same unit which was agreed to be sold to respondent no.5, was sub-divided into 44 smaller units and sold to 44 third-parties
4.	FIR No.0040 dated 05.02.2026 <i>Resp No. 6</i>	Sections 316(5), 318(4) and 61 of BNS (<i>erstwhile Sections 409, 420 and 120-B</i>)	i. Despite payment of full consideration amount, conveyance deed was not executed in favour of the complainants. ii. Accused collected additional Rs.3,53,000 under the pretext of executing a conveyance deed; and further collected Rs. 43,255/- under pretext of executing a Lease Deed. iii. Neither conveyance deed nor lease deed was executed for complainant's unit.



			iv. Without consent of the complainant, the accused persons instead leased the said unit to <i>Growth Hospitality LLP</i>. v. Although the unit sold to the complainant was professed to be unencumbered, but the unit sold to the complainant i.e. U-8-70 (50 sq.feet) was already mortgaged by the accused persons with the Union Bank of India.
5.	FIR No.263 dated 20.12.2025 <i>Resp No.3</i>	Sections 409, 420, 467, 468, 471 and 120-B	i. Smaller unit delivered, while charging for a larger area. ii. Complainants were lured to lease out the said property for a 30-year lease period to one ‘Growth Hospitality LLP’, whose Directors were none other than the present petitioner, Dhruv Dutt Sharma, along with co-accused Sharin Sharma. iii. Initially, for 1-2 years, the rent was paid, but later the complainants stopped receiving rent. iv. The TDS (Tax Deducted at Source) was deducted from the rent paid to the complainants. For the same, the complainants requested Form 16A. Petitioner and co-accused issued a forged Form 16A. v. From July 2025 onwards, the accused persons stopped paying the rent to the complainants.

19. The primary contention raised on behalf of the petitioner is that all the FIRs pertain to the “32nd Avenue/32nd Milestone” project and involve substantially the same set of accused persons; therefore, permitting separate investigations to continue would result in multiplicity of proceedings and amount to abuse of the process of law. According to the petitioner, the disputes essentially arise out of investment/leasing arrangements and are predominantly civil in nature, and consequently, all subsequent FIRs ought to be treated as part of the Parent FIR.

20. Per contra, learned State Counsel, along with learned senior counsel appearing on behalf of respondent Nos.4, 5 and 6, vehemently



opposed the aforesaid submissions and contended that consolidation of the FIRs would unjustifiably permit the petitioner and his co-accused to evade criminal liability arising out of separate and independent acts of alleged cheating and fraud. It was submitted that each FIR discloses a distinct cause of action involving different complainants, separate transactions, independent representations, and varying factual foundations. According to the respondents, although the project/property and some accused persons may be common across the FIRs, the nature of allegations and the modus allegedly adopted in each case are materially different, thereby necessitating separate investigations so as to effectively examine each individual transaction and independently ascertain the role of the accused persons in the respective acts of alleged deception.

21. This Court has considered the rival submissions advanced by learned counsel for the parties and is unable to accept the contentions raised on behalf of the petitioner so as to warrant consolidation of the FIRs in question.

22. Although, at first glance, the FIRs in question appear to emanate from a common backdrop, namely the “32nd Avenue” project involving substantially the same accused persons, a closer scrutiny of the allegations contained in each FIR reveals separate transactions, distinct causes of action, and different modes and manners in which the alleged offences are stated to have been committed. Merely because the allegations pertain to the same project, property, business entity or accused persons would not, ipso facto, render all such offences part of the “same transaction”.



23. By way of illustration, if an accused, driven by the same motive, ill-will or common animosity, were to commit murders of different members of the same family at different points of time, each such act would nonetheless constitute a separate and distinct offence, requiring independent adjudication and liability. The mere existence of a common motive, common victims' family, or identity of the accused would not amalgamate all such acts into one transaction. Similarly, in the present case, the mere fact that the allegations relate to the same project and involve overlapping accused persons cannot, by itself, justify treating all FIRs as forming part of one and the same transaction.

24. A comparative examination of the allegations contained in the respective FIRs demonstrates that, barring FIR No.263 of 2025, each FIR prima facie discloses an independent and distinguishable modus operandi necessitating separate investigation. In the Parent FIR i.e. FIR No.262 of 2025, the allegations primarily pertain to conveyance of lesser area than represented, non-delivery of possession, non-fulfilment of rental commitments arising out of a lease arrangement, and deduction of TDS from rental payments without furnishing Form 16A to the complainants, thereby allegedly causing financial prejudice. In contrast, FIR No.0001 of 2026 concerns allegations relating to failure to honour assured returns and buy-back commitments, repeated extensions sought for repurchase of units, and creation of third-party rights in the units despite subsisting arrangements with the investors, culminating in alienation of such units to another entity. FIR No.0002 of 2026, on the other hand, pertains to allegations of receipt of entire sale consideration coupled with failure to execute conveyance deeds, followed by alleged subdivision and



transfer of the same unit to multiple third parties. FIR No.0040 of 2026 further discloses allegations regarding procurement of additional monies on the pretext of execution of conveyance and lease deeds, unauthorized leasing of the unit without consent of the complainant, and concealment of an existing mortgage over the property.

25. However, insofar as FIR No.263 of 2025 is concerned, the allegations therein *prima facie* appear to substantially overlap with those contained in the *Parent FIR*. The allegations in both FIRs broadly relate to conveyance of lesser area than agreed, alleged default in payment of rent from substantially the same period, and issues concerning deduction/deposit of TDS. As per the reply filed by the State, allegations have also been levelled in FIR No.263 of 2025 regarding issuance of forged Form 16A despite non-deposit of TDS with the Income Tax Department. Although, in the *Parent FIR*, the allegation is that Form 16A was not furnished despite deduction of TDS, the core substratum of allegations in both FIRs appears to arise from substantially overlapping factual circumstances.

QUA FIR NO. 0001/2026; FIR NO. 0002/2026 & FIR NO. 0040/2026, REGISTERED AT POLICE STATION CIVIL LINES, GURUGRAM.

26. Thus, although the allegations in the aforesaid FIRs broadly arise in the context of investments made in units situated within the same commercial project, namely “32nd Avenue”, the factual substratum underlying each FIR is materially distinct. The representations allegedly extended to the respective complainants, the nature of inducement, the contractual arrangements entered into, the documents executed, and the subsequent acts complained of differ substantially from one FIR to another. The allegations are neither founded upon one singular transaction nor upon one uniform or



indivisible scheme perpetrated identically against all complainants. Each FIR would necessarily require independent examination of separate agreements and documents, distinct financial transactions, different witnesses, and independent chains of events pertaining to the respective complainants. The evidence required to establish the allegations in one FIR cannot be said to be wholly common or interchangeable with that required in the others. Consequently, FIR No.0001/2026, FIR No.0002/2026 and FIR No.0040/2026 each disclose separate and independent causes of action warranting distinct investigation, and cannot be treated as forming part of the same transaction merely because the project/property and some accused persons happen to be common.

27. The contention raised on behalf of the petitioner that all allegations arise out of one common project and therefore necessarily warrant consolidation, cannot be accepted in light of the settled legal position that similarity of subject matter is not synonymous with sameness of transaction. Where separate complainants allege distinct inducements, independent representations, and separate acts of cheating allegedly committed at different points of time, such allegations cannot be artificially amalgamated into one proceeding merely because the project/property involved or some accused persons happen to be common.

28. The determinative test is not the identity of the project alone, but whether the allegations arise out of one continuous and indivisible transaction having a common factual foundation. In the present case, the allegations contained in FIR No.0001/2026, FIR No.0002/2026 and FIR No.0040/2026 disclose separate transactions with independent factual



matrices, different contractual arrangements, distinct acts of alleged deception, and varying consequences suffered by the respective complainants. Consequently, the said FIRs cannot be treated as forming part of one composite transaction so as to justify their consolidation with the Parent FIR.

29. This Court is also unable to accept the contention on behalf of petitioner that non-consolidation of the FIRs would cause such prejudice to the petitioner as would warrant exercise of extraordinary jurisdiction for directing a joint investigation or trial. The constitutional and statutory protections against double jeopardy or autrefois acquit/convict are intended to safeguard an accused from being prosecuted or punished more than once for the very same offence or transaction. However, such protections cannot be expanded to encompass situations where separate FIRs disclose distinct offences arising out of separate and independent transactions merely because certain surrounding facts, parties, or the project involved may overlap. Merely because the accused persons or the commercial project/property happen to be common across the FIRs would not, ipso facto, establish identity of transaction. Where the allegations pertain to different inducements, separate representations, independent contractual dealings, and distinct acts of alleged cheating committed against different complainants at different points of time, each such allegation gives rise to a separate cause of action liable to be independently investigated. Consequently, the petitioner cannot claim prejudice merely on the ground that multiple FIRs have been registered in relation to the same project, when the underlying transactions themselves are materially distinguishable.



30. Furthermore, as submitted by the learned State Counsel, wherever complainants were found to have substantially similar grievances arising out of the same set of allegations and disclosing a common *modus operandi*, they have already been associated together in the respective FIRs during the course of investigation itself. Therefore, it cannot be said that the investigating agency has artificially or arbitrarily fragmented one singular cause of action into multiple FIRs.

31. This Court also finds considerable substance in the contention advanced on behalf of the respondents that consolidation of all the FIRs at this stage may itself prejudice the investigation. Consolidation of such FIRs, despite materially different factual foundations, may blur the individual nature of the allegations and impede a focused investigation into the specific acts allegedly committed against the respective complainants. Rather than advancing the cause of justice, such consolidation may unnecessarily complicate the investigative process and dilute examination of the separate transactions forming subject matter of the respective FIRs.

32. The judgments relied upon by learned senior counsel for the petitioner do not advance the petitioner's case, as the factual matrix and legal issues involved therein are materially distinguishable from those arising in the present matter.

33. In *T.T. Antony v. State of Kerala*, (2001) 6 SCC 181; *State (NCT of Delhi) v. Khimji Bhai Jadeja*, 2026 SCC Online SC 19; *Alok Kumar v. State of Bihar*, 2025 SCC Online SC 1728; *Ravinder Singh Sidhu v. State of Punjab*, 2025 SCC Online SC 1164; *Satinder Singh Bhasin v. State of U.P.*, (2023) 14 SCC 1164; and *Abhishek Singh Chauhan v. Union of India*,



2022 SCC Online SC 1936, the Courts were dealing with situations where the subsequent FIRs/proceedings substantially arose from the same transaction, same foundational allegations, or materially overlapping causes of action. In such circumstances, multiplicity of proceedings was deprecated.

i. In ***T.T. Antony (supra)*** , the Hon'ble Supreme Court held that there cannot be a second FIR and consequently no fresh investigation can be initiated upon receipt of every subsequent information relating to the same cognizable offence or the same occurrence/incident giving rise to one or more cognizable offences. The said judgment was rendered in the context of successive FIRs arising out of the very same occurrence and based upon subsequent information pertaining thereto. In the present case, however, the FIRs neither arise from the same occurrence nor from subsequent information concerning an already reported incident; rather, each FIR discloses a separate transaction involving different investors and distinct factual allegations.

ii. In ***State (NCT of Delhi) v. Khimji Bhai Jadeja (supra)***, the allegations pertained to a singular fraudulent scheme whereby multiple investors were uniformly induced to part with money on the representation that one Ashok Jadeja possessed divine powers to multiply money within a short duration. The gravamen of allegations in all complaints thus stemmed from the same inducement, same modus operandi, and one overarching fraudulent design. The present case stands on a different footing, as the FIRs arise out of separate transactions with different investors, involving distinct agreements, varying factual assertions, and independent allegations against the accused persons.



iii. In *Alok Kumar (supra)*, the allegations pertained to a common housing/development scheme wherein funds were collected from numerous investors for construction of flats which were never developed, thereby disclosing a singular continuing scheme founded upon a common representation made uniformly to all investors. In the present case, however, each FIR pertains to distinct transactions entered into independently with different investors, involving separate agreements, representations, obligations, and alleged breaches.

iv. In *Ravinder Singh Sidhu (supra)*, the Court was dealing with allegations emanating from substantially interconnected acts forming part of a common transaction and involving overlapping factual foundations. The ratio therein would not apply to the present case where each FIR discloses an independent transaction with separate complainants, distinct causes of action, and different factual matrices requiring separate investigation.

v. In *Satinder Singh Bhasin (supra)*., the allegations arose out of the “Bike Bot Scheme”, which constituted a single, unified investment scheme uniformly floated to induce investments from the public at large through a common promise and common modus operandi. In contrast, the present case does not arise from one indivisible investment scheme or one composite transaction, but from separate and independent dealings with different investors, each requiring examination on its own factual footing.

vi. In *Abhishek Singh Chauhan (supra)*, the proceedings arose from allegations having a common substratum and substantial overlap in factual foundation, thereby warranting judicial intervention to avoid parallel proceedings in respect of the same transaction. However, in the present matter,



the allegations in the respective FIRs are neither founded upon the same occurrence nor upon one composite transaction, but relate to separate transactions involving different complainants and distinct factual assertions.

vii. In *Ashish Bhalla (supra)*, one of the FIRs had already culminated in completion of investigation and presentation of challan by the time the subsequent FIRs came to be registered. The Court, in the peculiar facts of that case, ordered consolidation primarily on the ground that the accused's right to effectively defend himself was seriously prejudiced, particularly as the FIRs arising out of substantially overlapping allegations had been registered at different Police Stations, thereby exposing the accused to parallel investigations and proceedings in relation to the same transaction. The factual matrix of the present case, however, is materially distinguishable, as the FIRs herein arise out of separate transactions involving different complainants and independent causes of action.

34. The present case, stands on a materially different footing, inasmuch as the FIRs in question, except to a limited extent qua FIR No.263 of 2025, disclose separate transactions involving different complainants, distinct representations, independent contractual dealings, and varying modes of alleged cheating, thereby giving rise to separate and independent causes of action. The allegations range from failure to honour assured rentals and buy-back commitments, to concealment of mortgage, unauthorized creation of third-party rights, subdivision and resale of units to multiple purchasers. Thus, the FIRs cannot be said to be mere repetitions or fragmented versions of the Parent FIR.



35. Rather, the present case is more appropriately governed by the principles laid down *State of Punjab v. Rajesh Syal, (2002) 8 SCC 158* and *Anju Chaudhary v. State of U.P., (2013) 6 SCC 384*, wherein it was held that separate acts of cheating committed against different persons in distinct transactions cannot be artificially clubbed merely because the accused persons or the broader project/property involved are common.

36. The extraordinary jurisdiction vested in this Court under Article 226 of the Constitution of India, read with the inherent powers preserved under Section 528 of the BNSS, is required to be exercised sparingly, with circumspection, and only in exceptional cases where intervention becomes necessary to prevent manifest abuse of process of law or miscarriage of justice. Such jurisdiction cannot be invoked to obstruct or stifle a legitimate investigation into distinct cognizable offences merely because the accused persons, business entity, or project/property involved happen to be common across different FIRs, particularly at a stage where the investigating agency is yet to fully examine the individual factual matrices underlying each FIR.

37. So far as the argument regarding the disputes being civil in nature is concerned, the same also cannot be accepted at this stage. Mere existence of a civil remedy or contractual relationship between the parties would not by itself bar initiation or continuation of criminal proceedings where the allegations prima facie disclose ingredients of cheating, criminal breach of trust, forgery or dishonest inducement. Whether the allegations ultimately result in conviction or otherwise is a matter to be determined upon completion



of investigation and during trial, and not in proceedings seeking consolidation of FIRs at the threshold stage.

QUA FIR NO.263 DATED 20.12.2025 REGISTERED AT POLICE STATION CIVIL LINES, GURUGRAM

38. Upon a careful examination of the allegations contained in FIR No.263, this Court finds that certain allegations therein *prima facie* appear to overlap with those contained in the *Parent FIR*, particularly with regard to the area allegedly conveyed, alleged default in payment of assured rent during substantially the same period, and issues pertaining to deduction/deposit of TDS. At the same time, it is well settled that an FIR is not an encyclopedia of all facts and circumstances relating to the alleged occurrence. The precise nature and extent of overlap, if any, can therefore be conclusively determined only upon a comprehensive investigation and examination of the material collected by the investigating agency. Accordingly, if during the course of investigation the investigating agency arrives at a conclusion that FIR No.263 and the Parent FIR substantially arise out of the same transaction and involve materially overlapping allegations so as to warrant their consolidation, the investigating agency shall be at liberty to club the said FIRs and conduct a common investigation thereof.

39. In view of the aforesaid discussion, this Court is of the opinion that FIRs in question (*except FIR No. 263/2025*) i.e. FIR No.0001/2026, FIR No.0002/2026 and FIR No.0040/2026 cannot be treated as forming part of the same transaction so as to warrant consolidation with the *Parent FIR*, as each of the said FIRs discloses a separate and independent cause of action necessitating separate investigation. Further, insofar as FIR No.0002/2026 is concerned, learned senior counsel for the petitioner has fairly stated that the



petitioner has no objection if the said FIR is investigated independently and is not clubbed with the Parent FIR.

40. However, insofar as FIR No.263/2025 is concerned, since certain allegations therein prima facie appear to overlap with those contained in the Parent FIR, liberty is granted to the investigating agency to examine the extent of such overlap during investigation and, if deemed appropriate, to club the said FIR with the Parent FIR and conduct a common investigation thereof.

41. Consequently, finding no merit in the present petition, the same is hereby *dismissed*.

42. Interim order(s), if any, shall stand vacated.

43. So far as CRM-W-516 of 2026, CRM-W-595 of 2026 and CRM-W-630 of 2026, filed by other complainants seeking impleadment/intervention, are concerned, in view of the dismissal of the main petition, no separate orders are required to be passed therein, and the said applications are accordingly disposed of as having been rendered infructuous. However, in view of the submissions advanced on behalf of the applicants that their grievances/allegations are similar to those already under investigation in some of the FIRs in question, and further considering the statement made by learned State Counsel that persons having substantially similar allegations are already being associated in the respective FIRs under investigation, this Court deems it appropriate to observe that if the applicants claim to be similarly situated persons having allegations akin to those already forming subject matter of investigation in any of the FIRs in question, it shall be open to them to approach the investigating agency concerned along with all supporting material. Upon such request being made, the investigating agency may



examine the same, and if it finds that the allegations substantially overlap with those already under investigation in any existing FIR, it shall be open to the investigating agency to associate/join such persons as complainants in the concerned FIR(s).

44. Pending application(s), if any, shall also stand disposed of.

(SUBHAS MEHLA)
JUDGE

13.05.2026
Sonia Puri

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO