

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CRL.) NOS.229-248 OF 2020

DHARAM SINGH & ANR.

PETITIONER(S)

VERSUS

THE STATE OF CHHATTISGARH & ORS. ETC. RESPONDENT(S)

WITH

TRANSFER PETITION (CRL.) NOS. 116-123/2021

O R D E R

By way of these petitions, the petitioners, who are facing prosecution in various criminal cases across several States, are seeking transfer of the same to one place for common trial and analogous hearing.

2. Having regard to the submissions made, these petitions have been considered together, and are taken up for disposal by this common order.

3. Learned counsel for the petitioners has strenuously argued that with multiple cases filed and prosecuted at different stations in different States, it is practically impossible for the petitioners to attend all the proceedings and to effectively defend themselves.

4. It is also submitted that the petitioners are in judicial custody for about 8 years. Hence, it would be in the interest of justice, if the cases are consolidated at one place for effective and expeditious trial.

5. It is noticed that in various recent orders, similar prayers in various other cases, including the petitions filed under Article 32 of the Constitution of India, have been declined by this Court, including the order dated 09.11.2022 passed in Writ Petition (CrI.)No. 476 of 2021. Therein, this Court took note of other orders passed in similar petitions, including those in Writ Petition (CrI.) No.102 of 2022 and Writ Petition (CrI.) No.238 of 2022. Of course, in such orders, it has been left open for the accused in taking recourse to other appropriate remedies in accordance with law, including to approach the respective High Courts for consolidation of cases registered within the jurisdiction of the same High Court at one particular place.

6. We would reserve such liberty for the petitioners herein too, while declining the prayer as made in these petitions for transfer of all the cases to one place.

7. These petitions and pending applications stand disposed of accordingly.

....., J.
(DINESH MAHESHWARI)

....., J.
(HRISHIKESH ROY)

NEW DELHI
DECEMBER 05, 2022

ITEM NO.2

COURT NO.7

SECTION XVI-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Transfer Petition(s)(Criminal) No(s).229-248/2020

DHARAM SINGH & ANR.

Petitioner(s)

VERSUS

THE STATE OF CHHATTISGARH & ORS.

Respondent(s)

(IA No. 61787/2022 - APPROPRIATE ORDERS/DIRECTIONS AND IA No. 61799/2022 - EXEMPTION FROM SERVING NOTICE)

WITH

T.P.(Cr1.) No. 116-123/2021 (XVI-A)

(IA No. 61814/2022 - APPROPRIATE ORDERS/DIRECTIONS AND IA No. 61815/2022 - EXEMPTION FROM SERVING NOTICE)

Date : 05-12-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DINESH MAHESHWARI

HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Anilendra Pandey, AOR.
Mr. Sandeep, Adv.
Ms. Priya Kashyap, Adv.
Mr. Sanjay Sharma, Adv.

For Respondent(s) Mr. Joydip Roy, AAG
Mr. Gopal Jha, AOR
Mr. Sanket, Adv.

Mr. Sumeer Sodhi, AOR
Mr. Dhruv Wadhwa, Adv.

Mr. Shekhar Raj Sharma, Dy. AG
Mr. Sanjay Kumar Visen, AOR
Mr. Paras Dutta, Adv.
Ms. Ritu Rastogi, Adv.
Mr. Samar Vijay Singh, Adv.
Ms. Amrita Verma, Adv.
Mr. Sandeep Joshi, Adv.
Ms. Himani Bhatnagar, Adv.
Ms. Prachi Chahal, Adv.
Mr. Sanjeev Prakash Upadhyay, Adv.

Mr. Ajay Kumar Prajapati, Adv.
Mr. Shashank Shekhar Singh, AOR

Mr. Shree Pal Singh, AOR

Mr. Ajay Kumar Prajapati, Adv.
Mr. Shashank Singh, AOR

Ms. Swati Ghildiyal, AOR
Ms. Devyani Bhatt, Adv.
Ms. Shravya Pathak, Adv.
Mr. Maitreya Saha, Adv.
Ms. Deepanwita Priyanka, AOR

Ms. Pooja Chandra, Adv.
Mr. Sumeet Kaul, Adv.
Mr. Shubham Mishra, Adv.
Mr. Anand Shankar, AOR

UPON hearing the counsel the Court made the following
O R D E R

These petitions and pending applications
stand disposed of in terms of the signed order.

(NEETU KHAJURIA)
ASTT. REGISTRAR-cum-PS

(RANJANA SHAILEY)
COURT MASTER

(Signed order is placed on the file.)