

# The State (NCT) of Delhi vs. Khimji Bhai Jadeja

*Clubbing of FIRs / Same Transaction – Sections 218, 219, 220 & 223 of the Code of Criminal Procedure, 1973 and Sections 420 & 120B of the Indian Penal Code.*

**Date of Order:** January 6, 2026  
**Case Law No:** GIB-SC-2026-08  
**Source:** GST INDIA Biz (www.gstindia.biz)

## CASE DESCRIPTION / SUMMARY

### Facts:

An FIR was registered by the Economic Offences Wing, Delhi Police alleging that the accused induced a large number of investors by falsely claiming divine powers to triple their money. Around 1,852 victims were cheated of approximately ₹46.40 crores. The police registered a single FIR and treated complaints of other victims as statements during investigation. The Delhi High Court held that each deposit constituted a separate transaction requiring separate FIRs.

### Court Decision:

The Supreme Court held that the reference made by the Additional Sessions Judge to the High Court was premature as the investigation had not concluded. The Court observed that whether multiple acts constitute the “same transaction” must be determined based on the facts emerging from the investigation.

The Court noted that when offences arise from a common conspiracy and may form part of the same transaction, it is permissible to register one FIR and treat subsequent complaints as statements under Section 161 CrPC. The police were justified in registering a single FIR alleging criminal conspiracy under Section 120B IPC and treating complaints of other victims as statements.

The Court clarified that the Magistrate will determine at the stage of framing of charges whether the acts constitute the same transaction under Sections 220(1) and 223 CrPC, enabling joint trial. If the acts are distinct transactions, separate trials may be conducted subject to Section 219 CrPC.

Accordingly, the Supreme Court set aside the Delhi High Court’s answers which mandated separate FIRs for each transaction and allowed the appeal filed by the State.

### Cases Referred by Court:

- S. Swamirathnam vs. State of Madras

- Banwarilal Jhunjhunwala vs. Union of India
- State of Andhra Pradesh vs. Cheemalapati Ganeswara Rao
- State of Jharkhand vs. Lalu Prasad Yadav
- Amish Devgan vs. Union of India
- T.T. Antony vs. State of Kerala
- Arnab Ranjan Goswami vs. Union of India
- Abhishek Singh Chauhan vs. Union of India
- Amanat Ali vs. State of Karnataka
- Ravinder Singh Sidhu vs. State of Punjab
- Alok Kumar vs. State of Bihar
- Satinder Singh Bhasin vs. State of Uttar Pradesh
- Radhey Shyam vs. State of Haryana
- Amandeep Singh Saran vs. State of Delhi
- Narinderjit Singh Sahni vs. Union of India

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