



2026 INSC 563

NON-REPORTABLE

**IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION**

MISCELLANEOUS APPLICATION DIARY NO. 31664 OF 2026
IN
WRIT PETITION (CRIMINAL) No. 67 OF 2025

AMIT KATYAL & ANR.

**PETITIONER(S)/
APPLICANT(S)**

VERSUS

STATE OF HARYANA & ANR.

RESPONDENT(S)

O R D E R

1. Heard Mr. Siddharth Luthra, learned senior counsel appearing for the petitioners/applicants and Mr. S.V. Raju, learned Additional Solicitor General appearing for the respondent(s).

2. This Miscellaneous Application has been moved for the clarification/modification of the judgment and order dated 18.05.2026 delivered by this Court wherein apart from clubbing of the FIRs, a direction was issued to club FIR No. 30 of 2019 registered at the PS Economic Offences Wing, Delhi with FIR No. 439/2024, PS Sector 65, Gurugram, Haryana.

3. This Court while passing the judgment and order dated 18.05.2026 has observed in Paragraph 26 that FIR bearing No. 439/2024 registered at Police Station Sector 65, Gurugram, Haryana arises out of the same set of allegations and forms part of the same transaction which is already the subject matter of FIR No. 30/2019 registered at the Economic Offences Wing (EOW), Delhi and therefore permitting the parallel investigation is not proper.

4. This Court further in paragraph 27 allowed the prayer (A) as made in the writ petition which is to the effect that FIR No. 439/2024, PS Sector 65 Gurugram, Haryana be clubbed with FIR No. 30 of 2019, PS Economic Offences Wing (EOW), Delhi.

5. In view of the contents of paragraphs 26 and 27, the relief which has ultimately been granted by this Court appears to be incorrect inasmuch as instead of clubbing and transferring FIR No.439/24 at PS Sector 65, Gurugram, Haryana, the operative part directs for clubbing and transferring of FIR No. 30/2019, PS Economic Offences Wing (EOW), Delhi to that with the FIR No.439/24, PS Sector 65, Gurugram, Haryana.

6. The relief granted has to be in consonance with the reasoning contained in the body of the judgment and as

such we are of the opinion that that relief portion of the judgment and order dated 18.05.2026 requires to be corrected/modified and instead of directing FIR No. 30/2019, PS Economic Offences Wing (EOW), Delhi be clubbed and transferred to FIR No. 439/2024, PS Sector 65 Gurugram, Haryana, the FIR No. 439/2024 ,PS Sector 65 Gurugram, Haryana ought to be clubbed and transferred to FIR No. 30/2019, PS Economic Offences Wing (EOW), Delhi.

7. Shri Raju has resisted the proposed modification contending that the accused cannot be permitted to choose the investigating agency.

8. The clarification/modification application is not seeking any relief so as to select the investigating agency. The investigation in the offences is being carried at two places and the court has directed clubbing of the investigation. However, after clubbing the investigation in respect of the FIR earlier in point of time, had been directed to be transferred to the place of subsequent FIR which is not in accordance with the reasoning contained in the judgment. Therefore, it is simply a clarification/modification of the order so that the subsequent investigation may be clubbed with the previous FIR and the investigation in connection thereto in terms of the recitals in the judgment.

9. We are informed that there is no stay on investigation in FIR No. 30/2019, PS Economic Offences Wing (EOW), Delhi.

10. Accordingly, it is directed that FIR No. 439/2024, PS Sector 65 Gurugram, Haryana be clubbed and transferred to FIR No. 30/2019, PS Economic Offences Wing (EOW), Delhi.

11. The judgment and order dated 18.05.2026 passed in Writ Petition (Crl.) No.67 of 2025 stands modified accordingly.

12. The Miscellaneous Application stands disposed of. Pending application(s), if any, shall stand disposed of.

.....J.
(PANKAJ MITHAL)

.....J.
(PRASANNA B. VARALE)

NEW DELHI
21st May, 2026
GA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSMISCELLANEOUS APPLICATION DIARY NO(S). 31664/2026

[Arising out of impugned final judgment and order dated 18-05-2026 in W.P.(Crl.) No. 67/2025 passed by the Supreme Court of India]

AMIT KATYAL & ANR.

PETITIONER(S)

VERSUS

STATE OF HARYANA & ANR.

RESPONDENT(S)

(IA No. 159070/2026 - CLARIFICATION/DIRECTION)

Date : 21-05-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PANKAJ MITHAL

HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) Mr. Sidharth Luthra, Sr. Adv.
Mr. Siddhartha Dave, Sr. Adv.
Mr. Manish Vashishtha, AOR
Mr. Vivek Jain, Adv.
Mr. Upender Thakur, Adv.
Ms. Sonal Awasthi, Adv.
Ms. Sahiba Singh, Adv.
Ms. Deepti Pandey, Adv.

For Respondent(s) Mr. S.V. Raju, A.S.G.
Mr. Abhinav Bajaj, A.A.G.
Mr. Samar Vijay Singh, AOR
Ms. Sabarni Som, Adv.
Mr. Samrat Goswami, Adv.
Mr. Ayansh Shukla, Adv.
Mr. Shaurya Sarin, Adv.
Mr. Harsh Paul Singh, Adv.
Mr. Aman Dev Singh, Adv.
Ms. Neeta Verma, Adv.
Ms. Rekha, Adv.

Ms. Aishwarya Bhati, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Mr. S.N. Terdal, AOR
Mr. Jagdish Chandra, Adv.
Ms. S.S. Surana, Adv.
Ms. Tanmeya Mehta, Adv.
Mr. Rajat Nair, Adv.

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

The Miscellaneous Application stands disposed of in terms of the signed Non-Reportable order. Pending application(s), if any, shall stand disposed of.

(Nidhi Mathur)
Court Master (NSH)

(Geeta Ahuja)
Deputy Registrar

(Signed Non-Reportable Order is placed on the file)