(2026:JHHC:20959)

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr.M.P. No. 1547 of 2026

Nusrat Sultana, aged about 44 years, w/o Yogendra Kumar, r/o Village-House No. 506, Mohalla Chhajipura, B/H P.O. & P.S.-Hapur, Dist.-Ghaziabad (Uttar Pradesh)

.... …. Petitioner

Versus

1. The State of Jharkhand
2. Shiv Kumar Lal, s/o late Kishore Mohan Lal, r/o Village-Armai, P.O. & P.S.-Gumla, Dist.-Gumla (Jharkhand) at present r/o Palkot Road Gumla, P.O. & P.S.-Gumla, Dist.-Gumla (Jharkhand) .... Opp. Parties

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CORAM:HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Kripa S. Nanda, Advocate
For the State : Mr. Rajesh Kumar, Addl. P.P.
For O.P. No.2 : Mr. Ayub Ansari, Advocate

Order No.03 Dated- 15.07.2026

Heard the parties.

This Criminal Miscellaneous Petition has been filed invoking the jurisdiction of this Court under Section 528 of B.N.S.S., 2023 with the prayer to quash the entire criminal proceeding as also the FIR being Gumla P.S. Case No. 162 of 2010, corresponding to Spt. G.R. No. 478 of 2010 registered for the offences punishable under Sections 406, 420, 467, 468, 471, 120B of the Indian Penal Code, currently pending in the court of learned Chief Judicial Magistrate, Gumla.

It is submitted by the learned counsel for the petitioner that though charge sheet has been submitted against the petitioner but the petitioner has not been sent up for trial and the learned Chief Judicial Magistrate, Gumla has also not taken cognizance of the offence punishable under Sections 406, 420, 467, 468, 471, 120B of the Indian Penal Code in respect of the petitioner.

Since, it is the admitted case of the petitioner that the petitioner has not been sent up for trial nor any cognizance has been taken in respect of the petitioner, this Court is of the

considered view that the petitioner has no *locus standi* to challenge the FIR when investigation of the case is already complete and the petitioner has not been sent up for trial. Hence, this criminal miscellaneous petition filed by the petitioner is dismissed being not maintainable.

(Anil Kumar Choudhary, J.)

15.07.2026
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