

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43739 of 2026**

Arising Out of PS. Case No.-90 Year-2025 Thana- NARALI KALA KHURD District-  
Aurangabad

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Adesh Kumar @ Aadesh Kumar S/o Shree Vijaypal Singh @ vijay Pal  
Resident of Mohalla - A-3/15, Gali No.-3, Saboli Extension, P.S.- Harsh  
Vihar, District- Northeast (Dehli).

... .. Petitioner/s

Versus

1. The State of Bihar
2. The competent authority, NPGCL, Navinagar Plant, Aurangabad
3. The competent authority, Tata Motors, 3<sup>rd</sup> Floor, Failed Complex, Bistupur,  
Jamshedpur

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                       |
|--------------------------|---|---------------------------------------|
| For the Petitioner/s     | : | Mr. Ranjan Kr. Srivastava, Advocate \ |
|                          |   | Mr. Shashwat Srivastava, Advocate     |
| For the Opposite Party/s | : | Mr.Ahmad Ali, APP                     |

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      08-07-2026                      Learned counsel appearing on behalf of the petitioner  
seeks to implead the competent authority of NPGCL, Navinagar  
and Tata Motors as opposite party nos.2 and 3 in course of the  
day.

2. Permission is accorded.

3. Heard learned counsel appearing on behalf of the  
petitioner and learned APP for the State.

4. The petitioner seeks pre-arrest bail in connection  
with Narari Kala Khurd P.S. Case No. 90/2025 registered for the  
offence(s) punishable under Sections 303(2),317(2) of the BNS

5. As per the allegations made in the FIR, the



petitioner, along with the other co-accused, allegedly tampered with and sabotaged the two weighbridges of the company in an attempt to steal scrap valued at approximately Rs. 6,00,000/-, thereby causing substantial financial loss to the Government.

6. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent, however, considering the nature of allegation being purely civil in nature, petitioner wants to settle the dispute along with the company and other interest parties outside the Court and, as such, the matter be referred for mediation.

7. Learned APP appearing on behalf of the State submitted that a chance be given to the parties for amicable settlement outside the court.

8. Learned counsel appearing on behalf of the petitioner, on instructions, submitted that the petitioner has agreed to appear before the learned District Court at 10:30 A.M. on or before 15.07.2026.

9. Heard the parties

10. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the F.I.R., I am of the opinion that an opportunity is required to be given to the parties to settle their score amicably



outside the Court.

11. In this regard, I find it apt to take note of the observation made by the Apex Court in case of ***Paramjeet Batra v. State of Uttarakhand*** reported in ***(2013) 11 SCC 673***, in which, the Apex Court in paragraph no. 12 has held as follows:

*"12. While exercising its jurisdiction under Section 482 of the Code the High Court has to be cautious. This power is to be used sparingly and only for the purpose of preventing abuse of the process of any court or otherwise to secure ends of justice. Whether a complaint discloses a criminal offence or not depends upon the nature of facts alleged therein. Whether essential ingredients of criminal offence are present or not has to be judged by the High Court. A complaint disclosing civil transactions may also have a criminal texture. But the High Court must see whether a dispute which is essentially of a civil nature is given a cloak of criminal offence. In such a situation, if a civil remedy is available and is, in fact, adopted as has happened in this case, the High Court should not hesitate to quash the criminal proceedings to prevent abuse of process of the court."*

*(emphasis supplied)*

12. The Apex Court has reiterated the aforesaid proposition in recent judgment of ***S. N. Vijayalakshmi & Ors. vrs. The State of Karnataka and Anr.*** reported in ***(2025) SCC Online SC 1575***.

13. The petitioner has willingly desired to appear before the learned District Court on or before 15.07.2026, so that the matter can be referred to the District Mediation Centre.

14. Learned District Court is directed to take



necessary steps to issue notice to the respective parties and upon their appearance, refer the matter before the learned Mediator of the District Mediation Center by fixing a date for appearance of the parties to give effect to “Mediation for the Nation 2.0”.

15. Learned Mediator of the District Mediation Center concerned, upon appearance of the parties, shall make his/her best efforts to settle the dispute amicably and thereafter submit his/her report before the concerned learned District Court, well within a period of three months, till then, no coercive action shall be taken against the petitioner in connection with the aforesaid case.

16. In case, the parties resolve their dispute amicably or arrive at a mutual settlement, in light of the law laid down by the Apex Court as referred hereinabove, the petitioner is required to be released on pre-arrest bail on such terms and conditions as the learned District Court deems it fit and proper.

17. In case of failure on the part of the petitioner to appear on or before 15.07.2026 before the learned District Court or any date fixed by the learned Mediator, the interim protection granted to the petitioner shall automatically lose its force.

18. In case, it is deliberate on the part of the informant to reconcile, then in that case, the interim protection granted to



the petitioner shall continue and the trial shall proceed in accordance with law.

19. In case, the parties fail to reconcile, then in that case, parties may avail appropriate remedy. Then also, petitioner is directed to be released on pre-arrest bail on such terms and conditions as the learned District Court deems it fit and proper.

20. If both the parties arrive at amicable settlement, then they must withdraw the criminal cases, if any, which they have lodged against each other.

21. With aforesaid direction and observation, the present application stands disposed of.

**(Purnendu Singh, J)**

Sanjay/-

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