IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (S.J.) No. 663 of 2026

Rashid Ali Hasan (the Accused No. 1 in the Complaint Case No. 637 of 2016), Aadhar No.: 2286 0355 4107, Sex: Male, Age about 43 years, Son of Late Ali Hasan, Present Address: Ward No. 3, Tiwary Layout, Laxminagar Post-Office & Dist.-Wardha (442 001), Police-Station: Sewagram, State: Maharashtra; and Permanent Address: Ram Purwa Akhara, Post-Office: Manohar Chhapra (843111), Police-Station: Baruraj, District - Muzaffarpur, State: Bihar. .... …. Appellant

Versus

1. The State of Jharkhand
2. Talat Jabeen (The Complainant in the Complain Case No. 637 of 2016), Sex: Female, Age about 37 years, Wife of Rashid Ali Hasan, and Daughter of Late Md. Yakub, Address: New Bye-Pass Road, Police-Station & Post Office-Bhuli/Bankmore (Pin Code 828104), District Dhanbad, Post-Office State Jharkhand, Mobile No. 8083676900.
3. Roohi Nishat (Sister of the Complainant, and the Witness No. 1 in the Complaint Case No. 637 of 2016), Sex: Female, Age about 42 years, Wife of Rafi Ahmad, Address: Arahmore, Washepur, Police-Station and Post-Office - Bankmore/Bhuli (Pin Code 828104), District Dhanbad, State - Jharkhand, Mobile No. 7277239109.
4. Roomi Nishat (Sister of the Complainant, and the Witness No. 2 in the Complaint Case No. 637 of 2016), Sex: Female, Age about 40 years, Daughter of Late Md. Yakub, Address: New Bye-Pass Road, Police Station and Post-Office Bhuli/Bankmore (Pin Code District - Dhanbad, State - Jharkhand. 828104)

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant : Mr. Shailesh Kumar, Advocate
For the State : None

Order No.02 / Dated : 07.09.2026.

1. The present appeal has been filed against the refusal order dated 19.02.2026 to make a complaint against the respondent Nos. 2, 3 and 4 who are the complainants and witnesses in the Complaint Case being Complaint Case No.637 of 2016 in which prayer for cognizance has been made. The said complaint case is pending before the Judicial Magistrate 1st Class, Dhanbad.

2. Heard learned counsel for the appellant.

3. It is a strange case as the complaint case filed before the Court below, has not been brought on record. It has been submitted by the

learned counsel for the appellant that it is in the lower Court records and not supposed to show every document to this Court. It has further been submitted that only the order sheet has been brought on record which is sufficient.

4. *Prima facie*, it appears to be the misuse of process of the Court by the appellant/ husband.

5. This argument of the advocate is not appreciable as the way of court process are being misused. The argument has been advanced by the learned counsel for the appellant that the entire evidence produced by the wife, is false and fabricated and as such, proceeding should be initiated against her and in the meantime, the proceeding in connection with Complaint Case No. 637 of 2016 pending before the Judicial Magistrate 1st Class, Dhanbad should be stayed.

6. From the argument and the materials brought on record, it appears that it is nothing but misuse of the process of Court. Accordingly, this Court is not inclined to entertain the present appeal, hence, the present criminal appeal is, hereby, dismissed.

7. Pending I.A., if any, also stand disposed of.

(**Rajesh Kumar, J.**)

07.09.2026
Pawan/
Uploaded on 09.09.2026