IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.561 of 2018

Ranjan Kumar Gupta @ Ranjan Prasad Gupta, Aged about 35 years, Son of Sri I.P. Gupta, Resident of Kadma, P.O. & P.S.- Kadma, Town- Jamshedpur, District- East Singhbhum … Petitioner

Versus

1. The State of Jharkhand
2. S.D.O., Sadar Chaibasa, P.O. & P.S.- Sadar, District- Chaibasa

… Opposite Parties

With

Cr.M.P. No.2430 of 2012

Santosh Kumar Gupta, Aged about years, Son of Sri Vijay Prasad Gupta, Resident of B.S. Apartment, Anil Surpath Kadma, P.O. & P.S.- Kadma, Jamshedpur, District- East Singhbhum

… Petitioner

Versus

1. The State of Jharkhand
2. S.D.O., Sadar Chaibasa, P.O. & P.S.- Sadar, District- Chaibasa

… Opposite Parties

For the Petitioners : Mr. Janak Kr. Mishra, Advocate
Mr. Deepak Kr. Sinha, Advocate

For the State & O.P. No.2 : Mr. Achinto Sen, Addl. P.P.
(In Cr.M.P. No.561/2018)
Mr. Prabhu Dayal Agrawal, Spl. P.P.
(In Cr.M.P. No.2430/2012)

P R E S E N T

HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

By the Court:- Heard the parties.

2. Since both these Criminal Miscellaneous Petitions have been filed invoking the jurisdiction of this Court under Section 482 of the Code of Criminal Procedure, 1973 with the same prayer to quash and set aside the entire criminal proceedings arising out of Chaibasa Sadar P.S. Case No.23 of 2010 corresponding to G.R. Case No.134 of 2010 as also the order taking cognizance dated 25.01.2023 in respect of the petitioner of Cr.M.P. No.561 of 2018 and the order dated 28.06.2017 in resect of the petitioner of Cr.M.P. No.2430 of 2012 consequent upon a supplementary charge-sheet submitted against the petitioner of Cr.M.P. No.561 of 2018, a separate order dated 28.06.2017 was passed by the learned Chief Judicial Magistrate, Chaibasa mentioning therein that though *prima facie* case for the offences punishable under Sections 419, 420, 467, 468, 471 and 120B of the Indian Penal Code is also made out against the petitioner of Cr.M.P. No.561 of 2018 but since cognizance of the offence has already been taken, so, there is no need to take the cognizance twice.

3. The allegation against the petitioners is that the petitioners, by playing deception since the beginning, got registered a charitable trust and for the purpose of cheating, obtained a forged affiliation certificate from a non-existent Indian Council of Alternative Medicine, West Bengal and on the basis of the forged documents prepared for the purpose of cheating and by using the forged documents as genuine, cheated the gullible students by conferring them *inter alia* M.B.B.S (A.M) and other degrees by making them believe that they can practice

medicine and also be employed in private allopathic hospitals. The Sub-Divisional Officer, Sadar, Chaibasa upon enquiry found the illegalities committed *inter alia* by the petitioners to be true and lodged the written report with the Chaibasa Sadar Police Station. On the basis of the written-report submitted by the informant, police registered Chaibasa Town P.S. Case No.23 of 2010 and took up the investigation of the case. Police found the allegations against the petitioners to be true and filed the charge-sheet *inter alia* against the petitioner of Cr.M.P. No.2430 of 2012 while continuing the investigation against the petitioner of Cr.M.P. No.561 of 2018 and others. On the basis of the charge-sheet submitted in the case, the learned Chief Judicial Magistrate, Chaibasa has taken cognizance of the offences on 28.06.2017 and consequent upon the supplementary charge-sheet filed *inter alia* against the petitioner, the said order dated 25.01.2023 has been passed, as already indicated above.

4. Learned counsel for the petitioners submits that though in the meanwhile charge has been framed against the petitioners and the case is next fixed to 06.03.2026 for recording of evidence but the petitioners have not challenged the charge framed in this case. It is next submitted that the allegation against the petitioners is false. It is further submitted that the petitioners have been implicated in this case only on the basis of suspicion. It is then submitted that the informant has no authority to set the law in motion and no illegality has been committed by the petitioners. It is also submitted that there is no law which regulates

alternative medicine. Hence, it is submitted that the prayer made in these Criminal Miscellaneous Petitions, be allowed.

5. Learned Addl. P. P. and the learned Spl. P.P. appearing in respective cases on the other hand vehemently oppose the prayer of the petitioners made in these Criminal Miscellaneous Petitions and submit that the undisputed fact remains that charge has already been framed against the petitioners but the petitioners have not challenged the same. It is further submitted that there is direct and specific allegation against the petitioners of inducing gullible students by alluring them deceitfully by making the false promise and cheated them of huge amount of money by making them believe that by the certificates issued by the petitioners, such students can get employed in private hospitals where allopathy medicine is being prescribed. It is then submitted that the allegations does not only amount to commission of the offence of cheating but the same having been done on the basis of forged documents created for the purpose of cheating, so, the offence punishable under Section 468 of the Indian Penal Code is also made out against the petitioners. It is further submitted that though the petitioners were knowing pretty well that the documents which they were using as genuine; were forged documents but still having used the same as genuine documents, the offence punishable under Section 471 of the Indian Penal Code is also made out against the petitioners. It is further submitted that the only contention of the petitioners is that the allegation against them is false but the same is a defence which the

petitioners can take during the trial of the case but certainly the same is not a ground to quash the entire criminal proceedings at this nascent stage. Therefore, it is submitted that both these Criminal Miscellaneous Petitions, being without any merit, be dismissed.

6. Having heard the rival submissions made at the Bar and after carefully going through the materials available in the record, it is pertinent to mention here that there is direct and specific allegation against the petitioners of having cheated the gullible students by deceiving them by making them believe that upon the certificates issued by the petitioners they can get employed in private hospitals prescribing allopathy medicines and have induced the students so deceived to part with money. Further even though the petitioners were knowing pretty well that the certificates issued by the petitioners do not make the person in whose favour such certificates are issued; eligible to practice allopathy medicine or work in any hospital where allopathy medicine is prescribed, even though it is a private hospital. Moreover, the documents basing upon which the petitioners were issuing the certificates, were stated to be forged documents which was found during the investigation of the case. The contention of the petitioners that the allegations against them are false, is at best a defence which they can take during the trial of the case but the same is not a ground to quash the entire criminal proceeding at this nascent stage in exercise of the power under Section 482 of the Cr.P.C. more so when the petitioners

were knowing pretty well that charge has already been framed against them but they have not challenged the same.

7. Accordingly, this Court is of the considered view that there is no justifiable reason to accede to the prayer of the petitioners made in both these Criminal Miscellaneous Petitions in exercise of the power of this Court under Section 482 of the Cr.P.C.

8. Accordingly, both these Criminal Miscellaneous Petitions, being without any merit, are dismissed.

(Anil Kumar Choudhary, J.)

High Court of Jharkhand, Ranchi
Dated the 24th of February, 2026
AFR/ Animesh
Uploaded on- 27/02/2026