IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 1432 of 2022

1. Ashok Yadav @ Ashok Kumar Yadav, aged about 31 years, son of Jai Narayan Yadav,
2. Rajesh Kumar Yadav @ Rajesh Kumar, aged about 25 years, son of Jai Narayan Yadav
3. Ankit Kumar Yadav @ Ajit Kumar, aged about 20 years, son of Jai Narayan Yadav
4. Jai Narayan Yadav, aged about 70 years, son of Late Bharat Mahto,

All residents of Village Chiraiyaghat Road, P.O. - Giridih, P.S. Giridih (T), District - Giridih ... Petitioners

Versus

1. The State of Jharkhand
2. Prabhash Kumar Dutta, son of Late Ramanath Dutta, Power of Attorney Holder, resident of Argaghat, P.O. Giridih, P.S Giridih (T), District Giridih

…….. Opposite Parties

For the Petitioner	: Mr. Krishna Shankar , Adv.
For the State	: Mr. Manoj Kr. Mishra, Addl. PP
For the O.P. No. 2	: Mr. Ritesh Singh, Adv. Mr. Aditya Aman, Adv. Mr. Yashvardhan, Adv.

P R E S E N T

HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

By the Court:- Heard the parties.

2. This criminal miscellaneous petition has been filed invoking the jurisdiction of this Court under Section 482 CrPC with the prayer for quashing and setting aside the entire criminal prosecution and proceeding as well as the First Information Report in connection with Giridih (T) P.S. case no. 117 of 2021 registered for the offence punishable under Sections 147, 447, 427, 384, 506 of the Indian Penal Code, pending in the court of the learned Chief Judicial Magistrate, Giridih.

3. At the outset, it is submitted by learned counsel for the petitioners that in the meanwhile, after completion of the investigation, the police has submitted charge sheet, cognizance of the offence has been taken, charge has been famed against the petitioners, and 6 or 7 witnesses have already been examined but the petitioners do not

challenge the charge sheet submitted in this case, the order of cognizance, the order of framing of charge and the petitioners have also not filed the copy of the deposition of the witnesses, which has already been recorded during the trial of the case but submits that the order be passed on the merits of the petition.

4. Learned Addl. PP and learned counsel for the Opp. Party no. 2, on the other hand, vehemently oppose the prayer of the petitioners and submit that since the order of cognizance and the charge which have been framed, have not been challenged, there is no way that at this belated stage, only the FIR can be quashed, more so, when admittedly the witnesses have already been examined during the trial, who have supported the case of the prosecution, hence, this Criminal Miscellaneous Petition being without any merit be dismissed.

5. Having heard the submissions made at the Bar and after going through materials available in the record, it is pertinent to mention here that admittedly by the petitioners, consequent upon the submission of the charge sheet, upon finding the allegation against the petitioners to be true by the police, cognizance of the offence has been taken by the Magistrate concerned, but the same is not under challenge. The order by which, charges has been framed against the petitioners, is also not under challenge. The petitioners have not come to the court with clean hands by suppressing the deposition of the witnesses, which have already been recorded during the trial of the case.

6. Under such circumstances, this Court is of the considered view that this is not a fit case where the prayer as prayed for by the petitioners in this Criminal Miscellaneous Petition is to be acceded to in exercise of the power of this Court under Section 482 of CrPC.

7. Accordingly, this Criminal Miscellaneous Petition being without any merit is dismissed.

(Anil Kumar Choudhary, J.)

High Court of Jharkhand, Ranchi
Dated, the 29th October, 2026
Smita / AFR
Uploaded on 05.11.2026