IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.1659 of 2020
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1. Aaman Kumar Srivastava, Age – 40 years, S/o : - Vishnu Nath Srivastava
2. Punam Devi, Age;- 46 years, W/o:- Aaman Kumar Srivastava, R/o: - House No. 61, Line No. 6, East Plant Basti, Burmamines, P.O. and P.S. – Burmamines, Town – Jamsehdpur, District – East Singhbhum (Jharkhand)

… Petitioners

Versus

1. The State of Jharkhand
2. Veer Mani Kumar, S/o – Ravati Raman Tripathi, R/O – Chitkut Nagar, Road no. – 10, Danapur, Digha, P.O. & P.S. – Danapur, Distt:- Patna, Bihar

… Opposite Parties

For the Petitioners : Mr. Amit Kumar, Advocate
For the State : Mr. Shashi Kr. Verma, Addl.P.P.
For the O.P. No.2 : None

P R E S E N T

HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

By the Court:-

1. Heard the parties.

2. Though the opposite party No.2 has put his appearance through an Advocate yet no one turns up on behalf of the opposite party No.2 in spite of repeated calls.

3. This Criminal Miscellaneous Petition has been filed invoking the jurisdiction of this Court under Section 482 of the Code of Criminal Procedure with the prayer to quash the entire criminal proceedings initiated against the petitioners in Burmamines P.S. Case No. 27 of 2020 in which case after completion of the investigation, police has submitted charge sheet against the petitioners for having committed the offences punishable under Sections 467, 468, 471, 420, 406, 504, 120B of the Indian Penal Code and the prayer has also been made to quash the order dated 07.06.2022 passed by the learned Judicial Magistrate 1st Class, Jamshedpur in the said case whereby and where under the learned Judicial Magistrate 1st Class, Jamshedpur has taken cognizance of the said offences.

4. The allegation against the petitioners is that the petitioners have forged a couple of Pan Cards both of which are held by the petitioners but with different father's name and date of birth and they have opened a forged company in the name and style of SNAP PDROID India (OPC) Private Limited and Services India Private Limited and have cheated the informant and committed criminal breach of trust of his property besides intentionally insulting the informant provoking him to commit breach of peace or any other offence and using the forged documents as genuine.

5. On the basis of the written report submitted by the informant, police registered Burmamines P.S. Case No. 27 of 2020, took up investigation of the case and after completion of the investigation, police submitted charge sheet and basing upon the same, the learned

Judicial Magistrate 1st Class, Jamshedpur has taken cognizance of the said offences as already indicated above.

6. Learned counsel for the petitioners submits that the allegations against the petitioners are false. It is next submitted that the dispute between the parties is a civil dispute. It is then submitted that there is an arbitration clause in the agreement. It is further submitted that the forged company has not entered into any agreement with the informant. Hence, it is submitted that the prayer as prayed for in this Criminal Miscellaneous Petition be allowed.

7. Learned Addl.P.P. appearing for the State on the other hand vehemently opposes the prayer of the petitioners made in this Criminal Miscellaneous Petition and submits that there is direct and specific allegation against the petitioners of not only forging a couple of Pan Cards but also opening a forged company which was found to be true during the investigation of the case by the police. It is next submitted that since commission of forgery, by no stretch of imagination, can be termed as a civil dispute, hence, there is no rhyme or reason to quash the entire criminal proceedings; when the serious offences of forgery and using the forged documents as genuine, was found to be true against the petitioners. Hence, it is submitted that this Criminal Miscellaneous Petition, being without any merit, be dismissed.

8. Having heard the rival submissions made at the Bar and after carefully going through the materials available in the record, this Court finds that there is direct and specific allegation against the petitioners of committing forgery and using the forged document as genuine and also

the forgery was committed for the purpose of cheating and further there is allegation against the petitioners of cheating and committing criminal breach of trust as well as intentionally insulting the informant by provoking him to commit breach of peace or any other offence. The allegations were found to be true by the police during the investigation of the case. The petitioners are evading to appear before the court below for a considerable period of time, without any plausible reason.

9. Under such circumstances keeping in view of the fact that the serious nature of offences have been committed by the petitioners and the said allegations are found to be true by the police during the investigation of the case, this Court is of the considered view that there is no rhyme or reason to accede to the prayer of the petitioners made in this Criminal Miscellaneous Petition in exercise of the power under Section 482 of the Code of Criminal Procedure.

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

(Anil Kumar Choudhary, J.)

High Court of Jharkhand, Ranchi
Dated the 18th of November, 2026
AFR/ Saroj

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