**IN THE HIGH COURT OF JHARKHAND AT RANCHI**
**Cr.M.P. No.1739 of 2024**
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Asha Devi, W/o Pradeep Bhardwaj, aged about 63 years, R/o Village Marar, P.O. Marar, P.S. and District – Ramgarh.

… Petitioner

***Versus***

1. The State of Jharkhand
2. Raghav Nandan Prasad, S/o Late Dr. Anand Mohan Prasad, the then District Mining Officer, P.O., P.S. & District – Chaibasa
3. Union of India through Ministry of Railway, P.O., P.S. & District – New Delhi.

… Opposite Parties

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For the Petitioner : Mr. Sidhartha Roy, Advocate
Mr. Abhishek Thakur, Advocate
Mr. Pratyush Navneet, Advocate
For the State : Mr. Bhola Nath Ojha, Spl.P.P.
For the O.P. No.2 : None
For the O.P. No.3 : Mr. Prashant Pallav, ASGI
Mr. Ayush, AC to ASGI
Mr. Ravi Prakash, CGC

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**P R E S E N T**

**HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY**

***By the Court:-*** **I.A. No.12274 of 2026**

1. Heard the parties.

2. Learned counsel for the petitioner submits that this interlocutory application has been filed for early hearing of this Criminal Miscellaneous Petition.

3. Since the hearing of this Criminal Miscellaneous Petition is being taken up today, hence, this interlocutory application is disposed of being infructuous.

**(Anil Kumar Choudhary, J.)**

**Cr.M.P. No.1739 of 2024**

1. Though notice has validly been served upon the opposite party No.2 yet no one turns up on behalf of the opposite party No.2 in spite of repeated calls.

2. 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 order dated 15.03.2024 passed by the learned Railway Judicial Magistrate, Chakradharpur in G.R. No. 100 of 2008(s) as well as the entire criminal proceedings in connection with Danguaposi Rail P.S. Case No. 10 of 2008 corresponding to G.R. No. 100 of 2008 by which the learned Railway Judicial Magistrate, Chakradharpur has *inter alia* taken cognizance against the petitioner of the offences punishable under Sections 420, 468, 120B of the Indian Penal Code; for being the Director of Maa Chhinnmastika Sponge Iron & Private Limited.

3. Learned counsel for the petitioner submits that the F.I.R. of Danguaposi Railway P.S. Case No. 10 of 2008 was registered against the named accused persons of the case being M/s Anandita Traders & Investment Limited, M/s Maa Chhinnmastika Sponge Iron & Private Limited and the owners of the company who received the iron ore rack

at the railway station. It is next submitted that after investigation of the case, police submitted supplementary charge sheet No.04 of 2003 against the accused person namely Pradeep Bhardwaj @ Pradeep Belthariya, the then Director of M/s Maa Chhinnmastika Sponge Iron & Private Limited. It is then submitted that vide order dated 15.03.2024 in G.R. No. 100 of 2008(s), the learned Railway Judicial Magistrate, Chakradharpur considered that para-849 of the case diary goes to show that the petitioner – Asha Devi was a Director of Maa Chhinnmastika Steel & Power Limited during 20.03.2006 to 31.03.2013 but taken cognizance against the petitioner on the ground that she is the Director of M/s Maa Chhinnmastika Sponge Iron & Private Limited; even though Asha Devi was never a Director of Maa Chhinnmastika Sponge Iron & Private Limited nor there is any observation to this effect in the impugned order, particularly, in the absence of any material in this respect in the record. It is further submitted that as stated in para-31 of the Criminal Miscellaneous Petition that the petitioner was never the Director of M/s Maa Chhinnmastika Sponge Iron & Private Limited and the said averment of the petitioner has remained uncontroverted; so, the learned Railway Judicial Magistrate, Chakradharpur has committed an illegality in taking cognizance against the petitioner and also in passing summoning order against her. Hence, it is submitted that the prayer as prayed for in this Criminal Miscellaneous Petition be allowed.

4. Learned Spl.P.P. appearing for the State and the learned counsel appearing for the opposite party No.3 – Union of India, fairly submit

that the petitioner namely Asha Devi is not the Director of M/s Maa Chhinnmastika Sponge Iron & Private Limited.

5. Having heard the rival submissions made at the Bar and after considering the undisputed fact that the petitioner was never the Director of M/s Maa Chhinnmastika Sponge Iron & Private Limited, still the learned Railway Judicial Magistrate, Chakradharpur without any rhyme or reason, having taken cognizance against the petitioner in capacity of the Director of M/s Maa Chhinnmastika Sponge Iron & Private Limited and also passed the summoning order against her; which, in the considered opinion of this Court, is not sustainable in law.

6. Accordingly, the portion of the order dated 15.03.2024 passed by the learned Railway Judicial Magistrate, Chakradharpur in G.R. No. 100 of 2008(s) as well as the entire criminal proceedings in connection with Danguaposi Rail P.S. Case No. 10 of 2008 corresponding to G.R. No. 100 of 2008, so far as relates to the petitioner namely Asha Devi by which both cognizance has been taken against the petitioner and summoning order has also been passed against her, being not sustainable in law, is quashed and set aside *qua* the petitioner only.

7. It is made clear that the remaining portion of the said order dated 15.03.2024 passed by the learned Railway Judicial Magistrate, Chakradharpur in G.R. No. 100 of 2008(s) shall remain intact and valid.

8. This Criminal Miscellaneous Petition is disposed of accordingly.

**(Anil Kumar Choudhary, J.)**

High Court of Jharkhand, Ranchi
Dated the 10th of September, 2026
AFR/ Saroj

Uploaded on 11/09/2026